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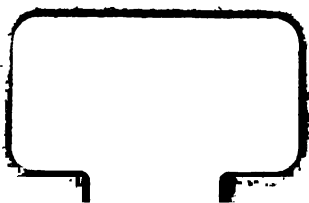
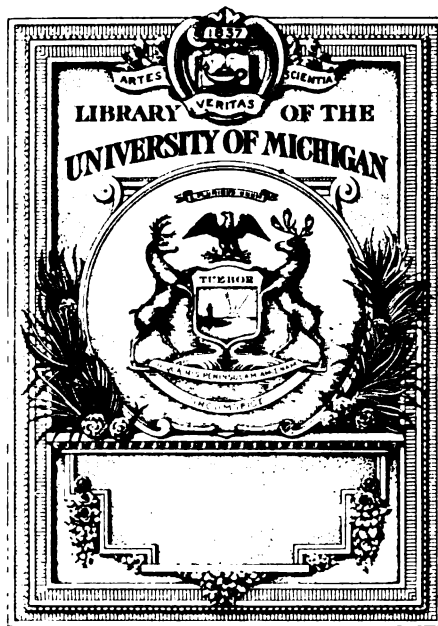
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SOUTH AFRICAN REPUBLIC.

FURTHER CORRESPONDENCE

RELATING TO THE

POLITICAL AFFAIRS

OF THE

SOUTH AFRICAN REPUBLIC.

(In continuation of [C. 9521], September, 1899.)

**Presented to both Houses of Parliament by Command of Her Majesty.
October, 1899.**



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1899.

[C.—9530.] Price 8d.

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12	Ditto ...	Telegram.	September 22	Regrets that the reply of the Republic Government is a refusal to accept the proposals in the telegram of 8th September; states that it is useless to continue a discussion on the lines hitherto followed; that the situation will be considered afresh and the proposals of Her Majesty's Government for a final settlement will be communicated later.	16
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Serial No.	From or to whom.	—	Date.	Subject.	Page.
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25	Governor Sir W. F. Hely-Hutchinson (Natal).	Telegram	September 29. (Received September 29.)	Reports that no more railway traffic will be received in the Republic, the line having been taken over by the Republic Government, and that the railway telegraph wire has been cut.	41
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27	Ditto	Telegram	September 30 (Received September 30.)	Reports that he proposes to hold over the message conveyed in No. 24 as the Orange Free State Government seem not to have abandoned hope of a compromise.	42
28	Ditto	Telegram	September 30 (Received October 1.)	Reports that the State Secretary of the South African Republic would be glad to know by 2nd October what decision Her Majesty's Government have taken.	42
29	To High Commissioner Sir Alfred Milner.	Telegram	October 1	Instructs him to reply to the foregoing, that the despatch of Her Majesty's Government will not be ready for some days.	42
30	Ditto	Telegram	October 2	Requests that the President of the Orange Free State be informed that Her Majesty's Government are glad to learn that the report of his speech is inaccurate.	42
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Serial No.	From or to whom.	—	Date.	Subject.	Page.
1899.					
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33	Governor Sir W. F. Hely-Hutchinson (Natal).	Telegram.	October 2 (Rec. Oct. 3.)	Repeats telegram from Civil Commissioner, Zululand, reporting message received from Dinuzulu as to treatment of Zulus by Boers in Vryheid district.	43
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35	To High Commissioner Sir Alfred Milner.	Telegram.	October 3.	Requests that Sir Gordon Sprigg be informed that Her Majesty's Government have received the assurance of support in No. 22 with much satisfaction.	45
36	Ditto	Telegram	October 3	Replies to the Petition enclosed in No. 21.	45
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38	Ditto	Telegram	October 4 (Rec. Oct. 4.)	Reports receipt of a further telegram from the President of the Orange Free State, and suggests terms of a reply.	46
39	To High Commissioner Sir Alfred Milner.	Telegram	October 4	Approves terms of proposed reply to President Steyn.	46
40	High Commissioner Sir Alfred Milner.	Telegram	October 5 (Rec. Oct. 5.)	Reports further telegraphic correspondence with President Steyn, and suggests answer.	47
41	To High Commissioner Sir Alfred Milner.	Telegram	October 6	Authorises him to give the answer to President Steyn proposed in No. 40 with the addition indicated.	48
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43	High Commissioner Sir Alfred Milner.	Telegram	October 7 (Received October 7.)	Repeats telegram from Her Majesty's Agent at Pretoria reporting that the State Secretary informed him that property of individuals of whatever nationality could be and was being commandeered to the value of £15 a head.	48
44	Ditto	Telegram	October 7 (Rec. Oct. 8.)	Repeats further telegraphic correspondence with President Steyn.	49
45	Ditto	Telegram	October 8 (Rec. Oct. 8.)	Repeats telegram from Her Majesty's Agent, giving terms of notices which have appeared in the press as to the steps to be taken by British subjects who wish to remain in the country.	50

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1899. —		
46	High Commissioner Sir Alfred Milner.	Telegram	October 8, (Received October 8.)	Reports result of enquiry made by British Agent at Pretoria respecting the seizure of gold; reports the circumstances of the flight of British subjects from the Orange Free State, and the action of the Government in commandeering other British subjects; suggests a strong remonstrance.	50
47	Ditto	Telegram	October 8, (Received October 8.)	Forwards telegram from Her Majesty's Agent giving particulars of the ill-treatment of J. C. Carelese, a British subject.	51
48	To High Commissioner Sir Alfred Milner.	Telegram	October 9	Approves his communication to President Steyn reported in No. 44.	51
49	High Commissioner Sir Alfred Milner.	—	September 18 (Rec. Oct. 9.)	Forwards correspondence relative to the position of aliens in the Orange Free State in the event of hostilities.	51
50	Ditto	—	September 19 (Rec. Oct. 9.)	Forwards copy of despatch from the British Agent at Pretoria, enclosing two measures which it is proposed to bring before the Volksraad dealing with possible confiscation of mines and property in the South African Republic.	53
51	Ditto	—?	September 20 (Rec. Oct. 9.)	Encloses further communications from Her Majesty's Agent on the situation, and submits observations on the charge of breach of faith insinuated against the British Agent in connection with his semi-official communications with the State Attorney.	56
52	Ditto	Telegram	October 9 (Rec. Oct. 10.)	Gives substance of another telegram from President Steyn.	64
53	Ditto	Telegram.	October 9 (Received October 10.)	Gives full text of a Note from the Republic Government demanding the acquiescence by 5 p.m. on October 11 of Her Majesty's Government in certain demands, failing which the action of Her Majesty's Government will be regarded as a formal declaration of war.	65
54	To High Commissioner Sir Alfred Milner.	Telegram.	October 10	Conveys terms of a protest to be addressed to President Steyn against the commandeering of British subjects in the Orange Free State.	67
55	To Governor Sir W. F. Hely-Hutchinson (Natal).	Telegram	October 10	Replies to Dinuzulu's message in No. 33.	68
56	To High Commissioner Sir Alfred Milner.	Telegram	October 10	Instructs him that British Agent at Pretoria, when communicating the reply to the demands of the Government of the Republic, should ask for his passports.	68

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1899.		
57	To High Commissioner Sir Alfred Milner.	Telegram.	October 10	Conveys the reply of Her Majesty's Government to No. 53.	68
58	Ditto	Telegram	October 11	Informs him that the Government of the United States of America have been asked to allow their Consul to take charge of the British Agency.	68
59	Ditto	Telegram	October 11.	Instructs him, in view of the matter reported in No. 47, at once to warn President Kruger in terms of No. 23.	69
60	High Commissioner Sir Alfred Milner.	Telegram	October 11 (Received October 12.)	Reports that the reply of Her Majesty's Government to the demands of the Government of the Republic has been conveyed to that Government by the British Agent, who will leave Pretoria on the 12 th October.	69
61	Ditto	Telegram	October 11 (Received October 12.)	Reports further correspondence with the President of the Orange Free State, who notifies that that State will abide by its engagements with the South African Republic.	69
62	To High Commissioner Sir Alfred Milner.	Telegram	October 12	Presumes that there is no foundation for the statement of the President of the Orange Free State that active hostilities had been commenced by the British before the receipt of the ultimatum of the South African Republic.	70
63	High Commissioner Sir Alfred Milner.	Telegram	October 12 (Received October 13.)	Reports that the statement has not the slightest foundation.	70

SOUTH AFRICAN REPUBLIC.

FURTHER CORRESPONDENCE

RELATING TO THE

**POLITICAL AFFAIRS OF THE SOUTH AFRICAN
REPUBLIC.**

No. 1.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 10.45 p.m., September 8, 1899.)

TELEGRAM.

(Extract.)

8th September. No. 2. Greene telegraphs as follows:—

Begins: 8th September. I have received a visit from the State Secretary who has informed me that, in accordance with a suggestion made by the President of the Orange Free State and friends in Cape Colony, the Government of the South African Republic desire to add the following sentence to the tenth paragraph of their note of 2nd September*: "This Government being quite willing to enter such Conference."

No. 2.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 8 a.m., September 9, 1899.)

TELEGRAM.

8th September. No. 3. Referring to my telegram of yesterday, No. 7,† British Agent telegraphs:—

Debate continued in Raad this morning; Resolution unanimously carried to the following effect:

Raad regrets armed troops are stationed on borders and declares its opinion that should possible eventuality war the Transvaal would not be responsible for the cause of that war. It resolved to await result of further negotiations between two Governments, and to declare emphatically its determination to maintain the independence and rights of the people of the South African Republic.

* See No. 49 in [C. 9521.]

† No. 29 in [C. 9521.]

No. 3.

HIGH COMMISSIONER SIR ALFRED MILNER TO MR. CHAMBERLAIN.

(Received 5.45 p.m., September 12, 1899.)

TELEGRAM.

Urgent. 12th September. No. 3. British Agent at Pretoria telegraphs that note embodying contents of your telegram of 8th September No. 5* has been delivered to Government of South African Republic.

No. 4.

HIGH COMMISSIONER SIR ALFRED MILNER TO MR. CHAMBERLAIN.

(Received 4.50 p.m., September 13, 1899.)

TELEGRAM.

[Answered by No. 4A.]

(Extract.)

13th September. No. 2. British Agent expressed a desire in delivering note yesterday, that an answer should be given by midday on Thursday next. Formal note of this request was taken by the State Secretary. I have instructed him to inform the Government of the South African Republic to the following effect: "that while Her Majesty's Government are most anxious for an early reply, as appears from their note, they did not instruct you to fix a definite limit of time; that the request for a reply by Thursday next was your own suggestion; and that having been informed of it by you, I desire the Government of the South African Republic to be made aware, that if they consider the time which you named insufficient, I should not interpret the request for an immediate reply made by Her Majesty's Government as necessitating a reply within the precise limit which you fixed."

No. 4A.

MR. CHAMBERLAIN TO HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent, 1.45 p.m., September 15, 1899.)

TELEGRAM.

15th September. No. 1. Referring to your telegram of 13th September No. 2† your action is approved.

No. 5.

HIGH COMMISSIONER SIR ALFRED MILNER TO MR. CHAMBERLAIN.

(Received September 15, 1899.)

SIR,

Government House, Cape Town, August 30, 1899.

I HAVE the honour to transmit to you copies of the despatches and telegrams noted in the margin from Her Majesty's Agent at Pretoria with reference to alleged attempts to commandeer British subjects in the South African Republic.

Tel. 271. 23/8/99.
 Tel. 273. 24/8/99.
 Tel. 278. 26/8/99.
 Despatch. 25/8/99.
 Despatch. 26/8/99.

I desire to call your attention to the unsatisfactory position in which this question of commandeering now stands. As reported in my despatches of 15th instant and of 29th instant,‡ the Volksraad have passed a number of clauses of a new Grondwet, which is likely to come into force immediately. Of these clauses, Article 74 declares that "In case of war, rebellion, or other causes of grave danger, the State President may, in consultation with the Commandant-General, and with the consent of the Executive Council, have Martial Law proclaimed, and every inhabitant, without distinction, is then compelled to lend aid in defence of the State." Article 109 provides that "The Law can also compel inhabitants who are not burghers, and coloured people, to co-operate for the maintenance of the independence of the Republic, for the defence of its territory, and for the suppression of rebellions and disturbances." By Article 20, "Where in the Grondwet the regulation of a matter is left to the Law, then therein will also be considered a Raad Besluit"; from which it appears that a Resolution of the Volksraad can at any moment give effect to Article 109.

* Nos. 52 in [C. 9521].

† No. 4.

‡ Not printed.

The provisions of Articles 74 and 109 are practically identical with those of the existing Grondwet (Law No. 2 of 1896, Articles 117, 119, 125). No mention is made in them of exemption of foreigners by Treaty right, nor is there any allusion to such exemption in the Circular of the Commandant-General, which appears to have been published in consequence of Mr. Greene's representations on the cases mentioned in the enclosures to the present despatch.

The position assumed by Her Majesty's Government is, that they will not be content with any treatment of Her Majesty's subjects in this respect which is less favourable than that given to the most favoured nation. Although the Volksraad have hitherto refused to ratify a formal agreement between the South African Republic and Great Britain the Government of the South African Republic have so far accepted the situation that they have recently refrained from commandeering British subjects.* But the concluding words of the Commandant-General's notice suggest that at any moment the notice may be withdrawn, and the provisions of the Grondwet put into force against British subjects generally.

Although, therefore, no immediate action seems to be required, I consider that the question is one which should be borne in mind, and in any general settlement with the Government of the South African Republic should be put on a permanent and satisfactory footing.

I have, &c.,
A. MILNER,
Governor and High Commissioner.

Enclosure 1 in No. 5.

From HER MAJESTY'S AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

August 23rd. No. 271.—I am receiving sworn complaints from British subjects resident in district of Krugersdorp that Field-Cornet has given them notice that they must be prepared for military service, and supply horses, arms, and accoutrements. In one instance a British subject was told that in default he must close his store, which he has in consequence done, and is now without occupation. I am also receiving sworn complaints that British subjects are being refused leave to send their horses and stock out of the country. I have represented above complaints to Government South African Republic. Have you any instructions?—(GREENE.)

Enclosure 2 in No. 5.

From HER MAJESTY'S AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

August 24th. No. 273.—My telegram 271 of yesterday. Government South African Republic inform me enquiries are being made of local officials but that no orders for commandeering have been given by the Government.—(GREENE.)

Enclosure 3 in No. 5.

From HER MAJESTY'S AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

August 26th. No. 278.—My telegrams 271 and 273. The Government have communicated to me officially a circular issued by the Commandant-General to the local officials in consequence of my representations on behalf of British subjects, warning the former against commandeering British subjects either for personal service or for horses, arms, &c., and further against prohibiting British subjects from exporting horses, &c., or selling the same for exportation. Circular states, "that it must be clearly understood that not a single foreigner who does not volunteer his services may be called up or commandeered in the event of war." The circular concludes by warning officials not to act in conflict with the terms of the notice unless on further special instructions from the Government. I am somewhat at a loss to understand this last clause which appears to give the circular little better than a provisional character notwithstanding the emphatic language of the body of the document.—(GREENE.)

* See Nos. 26 and 27 in [C. 9345.]

Enclosure 4 in No. 5.

BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

Her Majesty's Agency, Pretoria,
August 25, 1899.

SIR,

WITH reference to my telegram No. 271, of the 23rd instant, on the subject of alleged commandeering of British subjects by the Field Cornet of Krugersdorp, I have the honour to transmit to Your Excellency herewith a copy of a despatch which I have received from the British Vice-Consul at Johannesburg, together with a copy of an affidavit sworn before him by a British subject named Hotz, complaining that they had been ordered to hold themselves in readiness for military service.

I have also the honour to enclose an affidavit sworn before Mr. Vice-Consul Evans by Rosa Selina Lewis-Williams complaining that she had been refused leave by the same Field Cornet to send her cart horses and cows away to the Colony.

On the receipt of these complaints I at once wrote to the Government and asked that immediate enquiries might be made into the facts of each case.

I have now the honour to transmit to Your Excellency herewith translations of two Notes which I have received from the Under Secretary of State for Foreign Affairs in reply dealing with these representations, and assuring me that no commandeering orders had been issued by the Government, but that inquiries would at once be made into this and Mrs. Williams' complaint.

As regards the latter, I am informed that this is not a solitary instance, and that affidavits are being prepared in proof of this statement. It is, of course, well known that for some time past the Government have been doing all in their power to prevent the exportation of live stock from the Republic.

I have, &c.,
CONYNGHAM GREENE.His Excellency
The High Commissioner,
Cape Town.

SIR,

British Vice Consulate, August 15, 1899.

A BRITISH subject, named Henry Emmerick, living with his brother (also a British subject) at Steyn Kopjes, near Blauw Bank, called to see me this afternoon to report that the Field Cornet of the district yesterday sent his brother to give the brothers Emmerick notice that they were to hold themselves in readiness for military service at a moment's notice, and he requested them to fetch guns and ammunition at once. In the event of their not having suitable riding horses, they were told that they would have to go with the wagons.

I have, &c.,
J. EMRYS EVANS.

I, Rosa Selina Lewis-Williams, make oath and say :—

1. I am a British subject, born at Aliwal North, Cape Colony.
2. I am the wife of Mr. James Lewis Lewis-Williams, who keeps a boarding house on stand No. 142, situated on the property of the Champ d'Or G. M. Co.
3. I have been living in the Krugersdorp district of the Transvaal for the last seven years.
4. On Wednesday last, the 16th instant, at my husband's request, I went to the Veld-Cornet, and asked him in Dutch for a permit to send our cart horses and four valuable cows away by train to the Colony. He refused, without giving any reason whatever.

Sworn at Johannesburg, this 18th day of August, 1899.

R. S. LEWIS-WILLIAMS.

Before me :—

J. EMRYS EVANS,
Vice-Consul.

August 22, 1899.

I, Alexander Hotz, make oath and say :—

I am a British subject naturalised in the Cape Colony on the 16th of August, 1895. I am at present residing at Kaalfontein, in the district of Krugersdorp, and I carry on business there as a hotel and storekeeper. On the 15th instant, Assistant Field Cornet Du Toit came to my house and gave me notice that at any moment I must be ready for military service, and that I must provide a horse, saddle, and bridle, and that in default

I must leave the place. In consequence of this the place has been closed, and I have now no occupation.

Sworn at Johannesburg, this 19th day of August, 1899.

Before me,
J. EMRYS EVANS, Vice-Consul.

A. Hotz.

(Translation.)

Ministry for Foreign Affairs, Pretoria,
August 23, 1899.

SIR,

I HAVE the honour to acknowledge the receipt of your note of the 21st instant, in which you bring to my notice complaints made by Henry and Joseph Emmerick of Steynkopjes, and of Alexander Hotz, to the effect that they were instructed by the Field Cornet of the district to hold themselves in readiness to render service on commando.

The matter will be referred without delay to the local authority for enquiry, but I can already assure you by anticipation that no such instructions have been given by this Government.

I have, &c.,
PIET GROBLER.

Conyngham Greene, Esq., C.B.,
British Agent.

(Translation.)

Ministry for Foreign Affairs, Pretoria,
August 23, 1899.

SIR,

I HAVE the honour to acknowledge the receipt of your note of the 21st instant enclosing a certified copy of an affidavit sworn by Rosa Selina Lewis-Williams, complaining that the Field Cornet of Krugersdorp has refused to grant her a permit to send her horses and cows to the Colony.

The matter shall be investigated without delay and the result reported to you.

I have, &c.,
PIET GROBLER.

Conyngham Greene, Esq., C.B.,
British Agent, Pretoria.

Enclosure 5 in No. 5.

BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

SIR,

Her Majesty's Agency, Pretoria, August 26, 1899.

WITH reference to my despatch of yesterday's date, on the subject of commandeering of British subjects, I have the honour to transmit to Your Excellency herewith a translation of a Note which I have received from the Government of the South African Republic, enclosing a copy of a circular issued by the Commandant General, warning local officials against commandeering British subjects either for personal service or in respect of contributions of horses or arms; and, further, against any prohibition of the exportation, or sale for exportation, of horses, &c.

Your Excellency will notice that the circular states that it must be clearly understood by the officials in question that not a single foreigner, who does not voluntarily offer his services, may be called up or commandeered in the event of war, but it appears to me that the value of the whole circular is to a great extent nullified by the last clause, which gives it only a provisional effect, inasmuch as it states that the officials in question are "not to act in conflict with the terms of this circular, unless on further special instruction from the Government."

I have, &c.,
CONYNGHAM GREENE.

His Excellency,
The High Commissioner, Cape Town.

(Translation.)

Ministry for Foreign Affairs, Pretoria,
August 25, 1899.

SIR,

For your information, I have the honour to transmit to you herewith a circular, issued by the Commandant General, with reference to the commandeering, &c. of foreigners.

I have, &c.,
PIET GROBLER,
Under Secretary of State for Foreign Affairs.

Conyngham Greene, Esq.,
British Agent, Pretoria.

"PRESS."—August 26th 1899.

The following circular has been issued by the General to all Commandants, Fieldcornets, and Assistant Fieldcornets :—

24th August 1899.

"With reference to certain complaints received by the Government to the effect that British subjects or Englishmen have been commandeered by some officers and officials, or warned to be ready with a horse, saddle, bridle, gun, and ammunition in the event of a commando; and that some officers have given shopkeepers or traders notice that their stores and places of business must be closed; also that they have prohibited British subjects or other persons from exporting horses, etc., or selling them for the purpose of exportation, I have the honour to hereby give you strict orders and strictly prohibit you from doing any such deed, which might compromise us and bring us into conflict with any other Power.

"It must, therefore, be clearly understood by you that not a single foreigner, of whatever nationality, who does not voluntarily offer, or has not voluntarily offered his services, may be called up or commandeered in the event of unwished for and undesirable war.

"Guard, therefore, against everything which may harm us or may cause trouble, and see that you do not act in conflict with the terms of this circular, unless on further special instructions from the Government.

"I am, etc.,

"P. J. JOUBERT,

"Commandant-General."

No. 6.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received September 15, 1899.)

SIR,

Government House, Cape Town, August 30, 1899.

In continuation of my despatch of the 23rd instant, and with reference also to your telegram, No. 4, of the 23rd instant,* respecting the franchise proposals of the South African Republic, I have the honour to transmit for your information a copy of further correspondence on the subject.

To H.M.'s Agt., Pretoria.	Tel.	24/8/99.
From " "	"	24/8/99.
" " "	"	25/8/99.
" " "	"	22/8/99.
" " "	(Rec. 28/8/99.)	23/8/99.
" " "	(Rec. 28/8/99.)	
From " "	"	26/8/99.
	(Rec. 29/8/99.)	

I have, &c.,

A. MILNER,

Governor and High Commissioner.

Enclosure 1 in No. 6.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S AGENT, Pretoria.

TELEGRAM.

24th August. No. 29. Please take action as soon as possible on following telegraphic instructions from Secretary of State :—

"You should call attention of British Agent to the following points of difference between the South African Republic Government's formal note and previous conversation between him and the State Attorney :—

1. There were to be no complicated conditions attached to the new law.

2. The new members for the Goldfields were to be allowed to use their own language.

3. The South African Republic Government were to discuss with Her Majesty's Government any future change in the election of President and Commandant-General.

4. They were to discuss with British Agent assisted by adviser the details of the new scheme. Any other points which arose in connection with it were to be discussed in the same way.

5. The two Governments were to exchange notes.

On all these points we assume that South African Republic Government adhere to proposals made by State Attorney, but desire to be assured by formal note that this is so.

A formal reply will be sent on receipt of this assurance."

* Nos. 50 and 38 in [C. 9521].

Enclosure 2 in No. 6.

HER MAJESTY'S AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.
TELEGRAM.

24th August, 1899. No. 274. I have furnished State Attorney with memorandum of points of difference mentioned in your telegram of to-day, and he will discuss the matter with the State Secretary and Executive Council to-morrow.

Enclosure 3 in No. 6.

HER MAJESTY'S AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.
TELEGRAM.

25th August, 1899. No. 277 A. With reference to my telegram of 24th August, No. 274, State Attorney has sent me this afternoon a semi-official letter dated to-day as follows:—

"I have seen the State Secretary on the subject of the telegram received yesterday by you from your Government. The terms of a settlement embodied in the formal note of the 19th August from this Government were very carefully considered, and I do not believe that there is the slightest chance of their being amplified or altered. Your decision will therefore have to be arrived at on the terms as they stand."

At the same time I have received from the State Attorney a long private letter in which he disputes accuracy of my version of our conversation as regards the special points of difference mentioned by the Secretary of State, which was reported in my telegram of 14th August. I have sent you to-night copies of both letters, as the latter is too long to be telegraphed.

I shall await instructions as to whether I shall now act on your telegram of 24th by an official communication to the Government of the South African Republic in writing, or take any other steps. (GREENE.)

Enclosure 4 in No. 6.

HER MAJESTY'S AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

SIR, Her Majesty's Agency, Pretoria, August 22, 1899.

WITH reference to my telegrams Nos. 268 and 269 of yesterday, I have the honour to transmit to Your Excellency herewith a copy of a private letter which I have received from the State Attorney, together with an official translation of a further note which I have received from the State Secretary, both dated yesterday, with reference to the proposals of the Government of the South African Republic on the subject of the political representation of the Uitlanders.

I have, &c.,
CONYNTHAM GREENE.

His Excellency
The High Commissioner,
Cape Town.

DEAR MR. CONYNTHAM GREENE,

August 21, 1899.

IN speaking to me yesterday about our despatch to you of Saturday, the President said that he thought one or two points might have been stated more clearly.

It is therefore not improbable that you will be requested to-day to cable over a few explanations, that is to say, if the Government really deems them necessary.

Yours, &c.,
J. C. SMUTS.

SIR, Ministry for Foreign Affairs, Pretoria, August 21, 1899.

IN continuation of my despatch of the 19th instant, and with reference to the communication to you of the State Attorney this morning, I wish to forward to you the following in explanation thereof, with the request that the same may be telegraphed to His Excellency the High Commissioner as forming part of the proposals of this Government embodied in the above-named despatch.

1. The proposals of this Government regarding the question of franchise and representation contained in that despatch must be regarded as expressly conditional on

Her Majesty's Government consenting to the points set forth in paragraph 5 of the despatch, viz.:

- a. In future not to interfere in the internal affairs of the South African Republic.
- b. Not to insist further on its assertion of the existence of the Suzerainty.
- c. To agree to arbitration.

2. With reference to paragraph 6 of the despatch, this Government trusts that it is clear to Her Majesty's Government that this Government has not consulted the Volksraad as to this question, and will only do so when an affirmative reply to its proposals has been received from Her Majesty's Government.

I have, &c.,

F. W. REITZ,
State Secretary.

Conyngham Greene, Esq., C.B.,
British Agent,
Pretoria.

Enclosure 5 in No. 6.

HER MAJESTY'S AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

SIR, Her Majesty's Agency, Pretoria, August 23, 1899.

I HAVE the honour to transmit to Your Excellency herewith a copy of a note which, in obedience to the instructions conveyed to me in your telegram of the 20th instant, I have addressed to the Government of the South African Republic enclosing a copy of the despatch of the Secretary of State to Your Excellency of the 27th of July, 1899, on the subject of the political representation of the Uitlanders.

I have, &c.,

His Excellency
The High Commissioner,
Cape Town. CONYNGHAM GREENE.

SIR, Her Majesty's Agency, Pretoria, August 23 1899.

I HAVE the honour to transmit to you herewith, by desire of the High Commissioner, a copy of a despatch which has been addressed to His Excellency by the Secretary of State for the Colonies, on the subject of the political representation of the Uitlanders, and I am to express the hope of Her Majesty's Government that, in view of the urgent necessity of putting an end to the present unsettled state of affairs in South Africa, the Government of the South African Republic will find it possible to agree at an early date to the proposals made therein.

I have, &c.,

CONYNGHAM GREENE.

The Honourable
The State Secretary.

Enclosure 6 in No. 6.

HER MAJESTY'S AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

SIR, Her Majesty's Agency, Pretoria, August 26, 1899.

IN connection with the rumour which has been current here for some time past that the Government of the South African Republic were about to grant a five years' franchise law, and increase the number of seats for the Gold Fields, I received deputations, on the 19th and 21st instant, of the Uitlander Council and of the South African League, who desired to speak to me on the subject.

In accordance with a suggestion from me, these bodies have, since our interview, held meetings to discuss the eventuality in question, and have at my request now put their views in writing for Your Excellency's information.

I have the honour to enclose copies of these documents.

I have, &c.,

CONYNGHAM GREENE.

His Excellency
The High Commissioner,
Cape Town.

SIR,

Johannesburg, August 25, 1899.

WITH reference to the conversation I had with you on the 19th instant, in Pretoria, on the rumoured offer of the Transvaal Government to grant a franchise law with five years' residential qualification and without pitfalls and entanglements, I have given the most careful consideration to the question, and ascertained the views of the Uitlander Council regarding it. I understand that the proposal will be:—

1. Franchise law in plain, definite, practical fashion, without entanglements; and with a five years' qualification.
2. Five new members for the Witwatersrand.

In the first place, from an investigation as to the effect of a five years' franchise, it has been demonstrated that only a comparatively small number of Uitlanders could obtain it, owing to the fact that immigrants of the year 1895, during which the great influx of population took place, would for the present be excluded.

The whole position, however, has so materially changed since the Bloemfontein Conference, that it is now clearly evident that a basis of settlement which would then have been accepted with all good faith, will not now meet the necessities of the situation. At the time of the Conference it was hoped the Transvaal Government would have met Sir Alfred Milner's proposals in a frank and conciliatory spirit, and under such conditions a settlement could readily have been arrived at. Instead of that consideration which the gravity and justice of the Uitlander claims demanded, we have had a constant display at the Conference, and since, of the most hostile and uncompromising spirit towards the Uitlanders. The violence and hostility evidenced in the Volksraad debates exceed all previous similar displays, and plainly show how futile it is to expect Government and Volksraad to have any friendly regard for our just claims. No more significant evidence of the future intentions of Government could be adduced than the fact recently published that some 149,000 rifles had been brought by them into the country—a number five times more than sufficient to arm all the Boers in the Transvaal. Taken in conjunction with importations of other armaments, etc., no construction can be put upon this action than that the Government has some ulterior designs inimical to British interests, not only here but elsewhere, and directed in the first instance to the complete subjugation of the Uitlanders.

Under these circumstances we are compelled to come to the conclusion that with a five years' franchise and only five extra seats in the Volksraad, the Uitlanders would be placed in a hopeless and contemptible position, and reform from within would be an impossibility.

This statement may appear to be somewhat at variance with the resolution unanimously adopted at the Uitlanders' Meeting on the 10th June, 1899, but, as I before mentioned to you, that resolution was accepted in a spirit of loyalty to Sir Alfred Milner, and against the better judgment of many of those present. In fact, as Chairman of the meeting, I had the greatest difficulty in preventing the moving of an amendment asserting that a two years' qualification was sufficient, and would be more in consonance with the practice throughout the rest of South Africa.

I am convinced that any measure of enfranchisement that does not at the same time carry with it a complete measure of reform with regard to the chief abuses in administration under which we suffer, will be disastrous in its effects.

As a matter of equity we have every claim to revert to the position regarding the franchise as in 1881, at the time of the retrocession. President Kruger stated (No. 244) when negotiating the Convention of 1881, in reply to a question by Sir E. Wood, as to privileges of British subjects:

“We make no distinction in so far as burgher rights are concerned. There might perhaps be some small difference in the case of a young person who has just come into the country.”

Subsequently at Newcastle on Thursday the 26th May, 1881, Dr. Jorissen said:

“In No. 244 the question was: ‘Is there any difference regarding the privileges or rights of Englishmen in the Transvaal?’ and Mr. Kruger answered, ‘No, there is no difference,’ and then he added, ‘There may be a small difference in the case that it was a young person who had just arrived in the country.’ What Mr. Kruger wanted to say was this: ‘According to our law a new arrival does not immediately receive his burgher rights.’ The words ‘young person’ do not refer to age, but to the time of residence in the Transvaal. According to our old Grondwet (Constitution), one was required to remain one year in the country.”

The position since then has been clearly defined by the Marquess of Salisbury in the House of Lords on the 28th ultimo. He said, referring to equal rights:

"However, that was no doubt the view of our policy to which President Kruger assented in that well-known protocol, and it was the view to which he was bound during the rest of his political career in connection with the Transvaal State. But he took the exactly opposite line. Throughout the whole of the period that has elapsed since 1881, his one effort has been to separate the English and Republican Governments; to draw the two nations into two camps; to give to the Dutch a superiority to which their numbers gave them no title; and to reduce the English to a condition, almost of a conquered, certainly of a subjugated race."

That statement exactly described the position of the British in the Transvaal. I therefore with confidence say:

That the suggested proposals for representation are altogether inadequate.

That they would perpetuate our disabilities and provide no adequate means for reform.

That abuses in administration, to which we now so strongly object, would go on unchecked.

That the ultimate result would be civil war in the Transvaal, and probably the extension of such a war to the whole of South Africa.

I am confident that no measure of enfranchisement will be satisfactory that does not also include the prior reform of abuses and provision for:—

1. Equal language rights.
2. Disarmament of the Boer population, and demolition of the forts.
3. Right of public meeting with freedom of speech and of the Press.
4. Abolition of industrial monopolies.
5. Removal of religious disabilities.
6. Provision for the independence of the High Court.
7. Right to vote for election of President and Commandant-General.
8. Local Government with power to appoint local officials and to control the police.

The franchise law must be clear, simple, and effective. To obtain enfranchisement nothing must be left to the caprice of the Registration Officer. Enfranchisement must be by defined regulations and right, and not by favour. No matter what proportion of members may be provided for now in the First Volksraad, the principle of proportional representation should be adopted so as to operate absolutely and mechanically. This principle of proportional representation must be embodied in the franchise and redistribution laws, which laws must also contain provision rendering alterations in them impossible for a period of ten years after their enactment, unless with the unanimous consent of the Raad members.

Enfranchisement must carry full and absolutely equal rights to all burghers. All burghers having equal rights, the Second Raad would necessarily be abrogated.

Then comes the question of Guarantees. Nothing short of material guarantees would be of any service. If the Transvaal Government genuinely desire to give representation to the newer population, and to reform abuses, it should agree without difficulty to such pledges for the fulfilment of its obligations. Those guarantees could best be given by:—

- (a) Disarmament, and demolition of the forts, and
- (b) Some material guarantee more substantial than mere paper conventions.

I am firmly convinced that unless these reforms, guaranteed to the full, as I have stated, are effected, any settlement short of them will only prepare the way for greater unrest than ever, delay to all industrial and commercial advance in South Africa, and ultimate civil war between the Boers and the British. Without disarmament and effective guarantees the future position of the population in the Transvaal would be that of two armed and hostile camps. The curse and burden of militarism in its worst form would have to be borne, and its evil effects would extend throughout South Africa.

Accompanying the reform measures already referred to, and as probably the best means of giving them full effect, I would strongly urge the desirability of considering a scheme of home rule for the Rand. If a wide measure of home rule could be secured, giving the right of appointment of local officials, and the control of the police, we should

be freed from the incubus of Boer maladministration and monopolies, and the other reforms suggested would be of more practical value.

The importance of the questions I have herein discussed must be my apology for the frankness with which I have stated my views.

I have, &c.,
WM. S. HOSKEN,
Chairman of the Uitlander Council.

Conyngham Greene, Esq., C.B.,
Her Britannic Majesty's Agent,
Pretoria.

SIR,

Johannesburg, August 22, 1899.

REVERTING to our conversation of yesterday, when you informed us that it was possible that the Government of the South African Republic would make a proposal to grant the Franchise on a five years' basis free from the present restrictions, I now beg to inform you that, in my opinion, the South African League would be prepared to accept such a proposal as the basis of a settlement, provided the following matters formed an integral part of any such settlement. These are briefly:—

1. Substantial representation in the Raad—proportional to the population, and founded on an automatic basis.
2. The removal of religious disabilities.
3. Equal rights to English and Dutch languages.
4. The independence of the High Court.
5. The free right of public meeting, and formation and holding electoral committees.
6. The abolition of forts.
7. The right of all persons to bear arms.
8. Proper Local Government for the Rand, and
9. Comprehensive registration laws.

But the League has the strongest opinion that no final and satisfactory settlement of the present difficulty can be arrived at unless these matters are bound up and incorporated with any scheme of franchise reform proposed by the Government of the South African Republic. The League desires that any settlement should be final and satisfactory to all parties, so as to obviate any recurrence of the present troubles.

From my position in the League I am justified in stating that, in my opinion, few would accept the franchise if these important details were unprovided for in any settlement carried out under the direction of Her Majesty's Government.

I have further to point out that I would desire the above statement to be considered as made without prejudice to the right of the League to claim the franchise on the lines laid down by the Law of 1876, to which referred to [*sic*] yesterday, in case the proposal of the Government of the South African Republic failed in any of the above conditions.

I am, &c.,

J. DOUGLAS FORSTER,
President, South African League (Transvaal Province).
Conyngham Greene, Esq., C.B.,
Her Majesty's Agent.

No. 7.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Despatched 11 p.m., 16th September; received 7.30 a.m., September 17, 1899.)

TELEGRAM.

[Answered by No. 12.]

16th September. No. 4. Following is South African Republic Government reply:—

Begins:

SIR,—South African Republic Government have had the honour to acknowledge receipt of your note 12th September, in answer to their note 2nd September.

In answer, this Government wishes to state that it learns with a feeling of deep regret that it must understand that Her Majesty's Government withdraws from the invitation sent in your letter of 23rd August, and accepted by this Government, and substitutes in its place an entirely new proposal.

The proposal which has now lapsed, contained in the letters of this Government of 19th August and 21st August, was induced by suggestions given by British Agent to State Attorney, and these were accepted by this Government in good faith, and on express request, as equivalent to an assurance that the proposal would be acceptable to Her Majesty's Government.

It was in no way the object of this Government, either then or now, to make any needless recapitulations of its contention about its political status as an independent State as defined by Convention of London, 1884, but only to try to put an end to the state of tension by meeting Her Majesty's Government upon a proposal which it supposed to be constituted, both in spirit and in form, in such a way as it was given to understand to be satisfactory to Her Majesty's Government.

This Government cannot disguise from itself that in making the proposals contained in its note of 19th August, it probably ran the danger not only of its being disclaimed by South African Republic Volksraad and people, but also that its acceptance might affect the independence of State by, as therein proposed, giving an immediate vote in the Legislature of the State to a large number of inpouring Uitlanders, but it set against that the continuous threatening and undoubted danger to its highly-prized independence arising from claim of suzerainty made by Her Majesty's Government, from the interference of that Government in the internal affairs of this Republic, and from the want of an automatically working manner of regulating differences between Her Majesty's Government and this Government, and was in consequence prepared to recommend to South African Republic Volksraad and to people to run the danger attached to offer made, in order to avoid the certainty of the greater danger.

Inasmuch, however, as the conditions attached to the proposal, the acceptance of which constituted the only consideration for its offer, have been declared unacceptable, it cannot understand on what grounds of justice it can be expected that it should be bound to grant the rest, and with a view to the assurance given by Secretary of State for Colonies that he would not consider the said offer as a refusal in answer to his invitation to a joint inquiry based upon existing franchise law and scheme of representation for Witwatersrand gold fields, it cannot understand why, as soon as this invitation was accepted (as was done by this Government in its note 2nd September), Her Majesty's Government declares that it cannot any longer agree to the inquiry on this subject, and for purposes which that Government itself proposes.

It is also not clear to this Government on what grounds Her Majesty's Government, after having recently by means of its invitation intimated that it could not declare without an inquiry whether franchise law and resolutions taken about representation would afford immediate and substantial representation to the Uitlanders in South African Republic is to-day in a position, without having made any inquiry so far as this Government is aware, before the law can have been tested in its operation, to declare that the measure just mentioned is insufficient for the object contemplated.

It trusts that it will clearly appear from the foregoing that Her Majesty's Government is under a misunderstanding, if it supposes that this Government has ever recognised that it has considered the lapsed proposal contained in letter 19th August, without the conditions imposed therein and repeated in the note 21st August, as a reasonable proposal, or made it as a proposal, and still less that this Government was, or is, of opinion that its earlier proposal could be extended with advantage to the Republic without observance of those conditions, or that the Republic would not suffer any violation of its independence.

However earnestly this Government also desires to find an immediate and satisfactory course by which existing tension should be brought to an end, it feels itself quite unable, as desired, to recommend or propose to South African Republic Volksraad and people the part of its proposal contained in paragraphs 1, 2, and 3 of its note 19th August, omitting the conditions on the acceptance of which alone the offer was based, but declares itself always still prepared to abide by its acceptance of the invitation [of] Her Majesty's Government to get a Joint Commission composed as intimated in its note of 2nd September. It considers that if conditions are contained in the existing franchise law which has been passed, and in the scheme of representation, which might tend to frustrate object contemplated, that it will attract the attention of the Commission, and thus be brought to the knowledge of this Government.

This Government has noticed with surprise the assertion that it had intimated to British Agent that the new members to be chosen for South African Republic Volksraad should be allowed to use their own language. If it is thereby intended that this Government would have agreed that any other than the language of the country would have been used in the deliberations of the Volksraad, it wishes to deny same in the strongest manner. Leaving aside fact that it is not competent to introduce any such radical change, they have, up to now, not been able to understand the necessity or even advisability of making a recommendation to the Volksraad in the spirit suggested. Hence also the immediate and express denial given to British Agent by State Attorney to any question of that nature.

Inasmuch as the proposal for any further Conference has been made specially dependent on the acceptance of a proposal which this Government does not feel at liberty to recommend to Volksraad, it would perhaps be premature to deal with it further at the present time. It merely wishes, however, to remark that it has not yet been made clear to it which are the definite questions which would be discussed [at] proposed Conference, and which could not be subjected to arbitration, but it is pleased to see that Her Majesty's Government thinks that they could readily be settled by means of friendly discussions, while it further welcomes with much pleasure prospect disclosed by Her Majesty's Government of the introduction of a Court of Arbitration for the decision of all points of difference and points to be discussed at the Conference, and is ready and willing to co-operate towards the composition of such a Court, and that the more as it is its firm intention to abide entirely by the Convention of London, 1884, as its efforts have been continuously to do.

Finally this Government continues to cherish hope that Her Majesty's Government on further consideration will feel itself free to abandon idea of making new proposals more difficult for this Government, and imposing new conditions, and will declare itself satisfied to abide by its own proposal for a Joint Commission as first proposed by Secretary of State for Colonies in Imperial Parliament, and subsequently proposed to this Government and accepted by it. If Her Majesty's Government is willing, and feels able to make this decision, it would put an end to the present state of tension, race hatred would decrease and die out, the prosperity and welfare of South African Republic and of whole of South Africa would be developed and furthered, and fraternization between the different nationalities would increase.

I have, &c.,
(Signed) F. W. REITZ,
State Secretary. *Ends.*

No. 8.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 8 a.m., September 19, 1899.)

TELEGRAM.

18th September. No. 3. British Agent in South African Republic reports by post it is proposed to bring immediately two Laws before Volksraad gravely affecting mining companies and property-holders in South African Republic.

First Law provides that if suspension of mining operations is considered inexpedient by Government of South African Republic in public interests, Government of South African Republic can withdraw owners' rights, and either hand over property to others or develop it themselves. Owners are then to be called on to remove [?] plant, &c., failing which Government of South African Republic may take over latter at price fixed by State Mining Engineer. On proclamation of martial law, Government of South African Republic may take any mines under its control and develop them, using the production for its own benefit. Owners to be compensated on repeal of martial law.

Second Law provides for confiscation of property belonging to persons guilty of public violence, high treason, *lèse majesté*, or incitement thereto, including persons outside Republic who form relations with foreign Powers, or their representatives, in order to persuade them to act inimically, or undertake war against the Republic, or to supply them with the means therefor.

No. 9.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 8.50 p.m., September 19, 1899.)

TELEGRAM.

19th September. No. 2. Lancashire Regiment is being dispatched to Kimberley; it will also guard Orange River Bridge.

I wired this morning to President Orange Free State as follows:—

"I have the honour to inform your Honour that it has been deemed advisable by the Imperial military authorities to send detachment of the troops ordinarily stationed at Cape Town to assist in securing the line of communication between the Colony and the British territories lying to the north of it. As this force, or a portion of it, may be stationed near the borders of the Orange Free State, I think it desirable to acquaint your Honour with this movement, and the reason for it, in order to prevent any misconception on the part of the Burghers of the Orange Free State of the object which the military authorities have in view. The movement in question is in no way directed against the Orange Free State, nor is it due to any anxiety as to the intention of the latter, as I rest fully satisfied with the declaration on this point contained in your Honour's telegram of 16th August last.*

"I take this opportunity of making a general statement of the attitude of Her Majesty's Government at the present juncture, which, in view of the many current misapprehensions on the subject, Her Majesty's Government have authorized me to convey to your Honour.

Her Majesty's Government still hope for a peaceful settlement with the Government of the South African Republic. Should this hope, however, unfortunately be disappointed, they look to the Government of the Orange Free State to preserve strict neutrality and to prevent any military intervention by any of its citizens. They are prepared to give formal assurance that in that case the integrity of the territory of the Orange Free State will under all circumstances be strictly respected. There is, as far as Her Majesty's Government are aware, absolutely no cause to justify any disturbance of the friendly relations between Great Britain and the Orange Free State. It is entirely untrue that Her Majesty's Government desire to impair the independence of the Orange Free State, towards which Republic they are animated by the most friendly sentiments."

* See No. 31 in [C. 9521].

He has just replied as follows:—

Begins: Your Excellency's telegram of this day. I share with your Excellency the hopefulness of a friendly settlement of the differences which have arisen between Her Majesty's Government and the Government of South African Republic being still arrived at. I cannot even now see that those differences justify the use of force as the only solution thereof. Both on this account and seeing the existing state of tension here as elsewhere in South Africa, I note with apprehension and regret the intention of Her Majesty's Government to send detachments of the troops ordinarily stationed at Cape Town northwards, with a view to having same or any portion thereof, stationed near the border of this State. Whilst this Government will continue to do all in their power to allay excitement, I cannot help impressing upon your Excellency the fact that if the proposed course be pursued, following as it will on other military preparations near our border, it will not improbably be considered by our Burghers as a menace to this State, and will [?] in any case naturally create a very strong feeling of distrust and unrest amongst them. If unwished-for developments should arise therefrom, the responsibility will not rest with this Government.

I will submit your Excellency's telegram to the Volksraad early in its session, which opens on Thursday next and meanwhile beg to assure your Excellency that this Government would view with deep regret any disturbance of those friendly relations which have hitherto existed between Great Britain and this State. *Ends.*

No. 10.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 8 a.m., September 22, 1899.)

[*Answered by No. 14.*]

TELEGRAM.

(Extract.)

September 21st. No. 4.—Ministers have just sent me a Minute asking me to forward the following message for the consideration of Her Majesty's Government:—

Ministers unanimously beg Her Majesty's Government to believe that their best efforts have been spent in endeavouring to aid in securing a peaceful and satisfactory settlement of the Transvaal crisis and to weigh well their earnest conviction that the situation is now one in which great efforts should be made by the exercise of a spirit of magnanimous compromise to avert the calamity which seriously threatens the British provinces in South Africa and not only the Republics. It is not open to doubt that the issue of a war could only be a victory for the Imperial arms, but the evil consequences of the perhaps prolonged struggle which would take place would be far-reaching and abiding for generations, and would affect alike the European and the native populations.

They desire me to add that this message is an indication that they are deeply persuaded that the main, they fear the only, hope of avoiding such a calamity is a large measure of consideration shown by Her Majesty's Government at the present juncture, a consideration which would not only not impair but truly strengthen the foundations of the Empire in South Africa.

No. 11.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 4.45 p.m., September 22, 1899.)

TELEGRAM.

[Answered by No. 20.]

22nd September. No. 2. Inform President Steyn that it is reported here that in his speech to the Volksraad yesterday he said that the Transvaal had been decoyed by Mr. Greene, and that he virtually accused the Imperial Government of bad faith. Say that Her Majesty's Government cannot believe that the President used language so inconsistent with international courtesy, and that they trust that he will be able to give a public and unqualified denial to the report.

No. 12.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 10.15 p.m., September 22, 1899.)

TELEGRAM.

22nd September. No. 5. I have to acknowledge receipt of your telegram, No. 4, 16th September,* conveying reply of the Government of the South African Republic to note of British Agent conveying communication of Her Majesty's Government contained in my telegram to you of 8th September, No. 5.† The offer therein made by Her Majesty's Government was moderate and conciliatory, and they have to express their profound regret that reply of Government of the South African Republic is a refusal to accept it.

Her Majesty's Government have on more than one occasion repeated their assurances that they have no desire to interfere in any way with independence of South African Republic, provided that the conditions on which it was granted are honourably observed in the spirit and in the letter, and they have offered as part of a general settlement to give a complete guarantee against any attack upon that independence, either from within any part of the British dominions or from the territory of a foreign State.

They have not asserted any rights of interference in the internal affairs of the Republic other than those which are derived from the Conventions between the two countries or which belong to every neighbouring Government (and especially to one which has a largely predominant interest in the adjacent territories) for the protection of its subjects and of its adjoining possessions. But they have been compelled by the action of Government of the South African Republic, who have in their note of 9th May, 1899,‡ asserted the right of the Republic to be a Sovereign International State, absolutely to deny and repudiate this claim.

The object which Her Majesty's Government have had in view in the recent negotiations has been stated in a manner which cannot admit of misapprehension, viz., to obtain such a substantial and immediate representation for the Uitlanders in the South African Republic as Her Majesty's Government hoped would relieve them from any necessity for further interference on their behalf, and would enable the Uitlanders to secure for themselves that fair and just treatment which was formally promised to them in 1881, and which Her Majesty intended to secure for them when she granted the privilege of self-government to the inhabitants of the Transvaal.

As was stated in my telegram of 8th September,† Her Majesty's Government are of opinion that no conditions less comprehensive than those contained in their offer of that date can be relied upon to effect this object.

The refusal of the Government of the South African Republic to entertain the offer thus made, coming as it does at the end of nearly four months of protracted negotiations, themselves the climax of an agitation extending over a period of more than five

* No. 7.

† No. 52 in [C. 9521].

‡ Enclosure in No. 7 in [C. 9507].

years, makes it useless to further pursue a discussion on the lines hitherto followed, and Her Majesty's Government are now compelled to consider the situation afresh, and to formulate their own proposals for a final settlement of the issues which have been created in South Africa by the policy constantly followed for many years by the Government of the South African Republic. They will communicate to you the result of their deliberations in a later despatch.

Communicate as above to Government of South African Republic.

No. 13.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 10.27 p.m., September 22, 1899.)

TELEGRAM.

22nd September. No. 6. Communicate following to Government South African Republic:—

Her Majesty's Government cannot pass over in silence the charge of a breach of faith which is practically insinuated in the letter from the State Secretary of the South African Republic forwarded to me in your telegram, No. 4, of the 16th September.*

The proposals made by the Government of the South African Republic in the letters from the State Secretary, dated 19th and 21st August,† were not "induced by suggestions given by the British Agent to the State Attorney." On the contrary, State Attorney sounded British Agent both in writing and in conversation as to the conditions on which Her Majesty's Government would waive their invitation to a joint inquiry, and the result of these communications was the proposals made by the Government of the South African Republic in those letters.

Government of the South African Republic state in the letter from the State Secretary, conveyed in your telegram, No. 4, of the 16th September,* that they understood that their proposals were "constituted both in spirit and in form" in a manner satisfactory to Her Majesty's Government.

It is impossible that the Government of the South African Republic could, in making their proposals, have been in any doubt as to the answer which Her Majesty's Government would give to the conditions attached to them. The answer actually given by Her Majesty's Government in my telegram to you, No. 1, of the 28th August,‡ and which the Government of the South African Republic allege as their reason for withdrawing from their offer was precisely that which the British Agent had foreshadowed to the State Attorney, and which, therefore, they must have anticipated in making their proposals.

Nor can Her Majesty's Government admit that it was my telegram, No. 5, of the 8th September,§ which substituted "an entirely new proposal" for the invitation to a Joint Commission of Inquiry.

In order to demonstrate inaccuracy of this contention, it is sufficient to quote opening words of the note of the State Secretary, dated the 19th August, which were as follows:—

"With reference to your proposal for a Joint Inquiry, contained in your despatches of the 2nd and 3rd August, Government of South African Republic have the honour to suggest the following alternative proposal."

Then followed the very proposals as to representation which Her Majesty's Government are stated to have "substituted" for their invitation. In making this communication the Government of the South African Republic assumed that Her Majesty's Government would agree to their suggestions as to non-interference and suzerainty, but it was only in a separate note from the State Secretary, dated two days later, that the proposals for franchise and representation were stated to be expressly conditional on the acceptance by Her Majesty's Government of these assumptions.

Her Majesty's Government are therefore unable to see any grounds for misapprehension on the part of the South African Republic as to the answer which would be given with regard to non-interference and suzerainty, and Her Majesty's Government desire to further point out that the substantive condition which was at first attached to the proposals of the Government of the South African Republic was that Her Majesty's Government would not press for the appointment of a Joint Commission of

* No. 7.

† See No. 36 in [C. 9521].

‡ No. 43 in [C. 9521].

§ No. 52 in [C. 9521].

Inquiry, as such an inquiry would, in the opinion of the Government of the South African Republic, as stated in their note of the 12th August, prejudice the right of full independence in internal affairs repeatedly recognized by Great Britain.

With regard to use of English language by the Uitlander Members of Volksraad, the proposal seems to Her Majesty's Government to be as reasonable as is privilege of using Dutch language enjoyed by Dutch members of Legislature of the Cape Colony or the facultative use of either German, French, or Italian in the Legislature of Swiss Confederation, and Her Majesty's Government can only express their astonishment that the Government of the South African Republic should characterize it as unnecessary and inadvisable, and should make a point of denying in the strongest manner that they could ever have made such a proposal to British Agent through the State Attorney.

No. 14.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 1.55 p.m., September 25, 1899.)

TELEGRAM.

25th September. No. 2. Inform your Ministers in reply to their message contained in your telegram of 21st September, No. 4,* that Her Majesty's Government appreciate their anxiety; that Her Majesty's Government have shown, and will continue to show, every consideration to the Government of the South African Republic consistent with the maintenance of British interests; that they profoundly deplore the fact that up to the present all their efforts to secure a peaceful and satisfactory settlement have been unsuccessful, but that it is still open to the Government of South African Republic to do so without any sacrifice of its independence.

No. 15.

HIGH COMMISSIONER SIR ALFRED MILNER to Mr. CHAMBERLAIN.

(Received September 27, 1899.)

SIR,

Government House, Cape Town, September 5, 1899.

I HAVE the honour to enclose for your information, with reference to your telegram of the 23rd ultimo (No. 3),† a copy of a despatch from Her Majesty's Agent, Pretoria, on the subject of the publication of newspaper articles threatening the murder of British subjects.

I have, &c.,

A. MILNER,

Governor and High Commissioner.

Enclosure in No. 15.

BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

SIR,

Her Majesty's Agency, Pretoria, August 26, 1899.

I HAVE the honour to transmit to Your Excellency herewith a copy of a Note which, in accordance with the instructions contained in Your Excellency's telegram, No. 30, of August 24th, I have addressed to the State Secretary, calling the attention of the Government of the South African Republic to the articles which have appeared in the newspapers threatening the murder of British subjects, and pressing that action may be taken to prevent the publication of such articles.

I have also the honour to enclose a telegram which I have addressed to the British Vice-Consul at Johannesburg, requesting him to inform the Uitlander Council accordingly.

I have, &c.,

CONYNGHAM GREENE.

His Excellency

The High Commissioner, Cape Town.

* No. 10.

† No. 22 in [C. 9521].

SIR,

Her Majesty's Agency, Pretoria, August 26, 1899.

THE attention of the Secretary of State has been called to certain articles which have appeared in the Transvaal newspapers threatening the lives of British subjects. I am endeavouring to obtain as complete a list as possible of the articles in question, which I shall forward to you, but in the meantime the Secretary of State desires that the attention of the Government of the South African Republic may be drawn to the fact that articles which threaten the murder of British subjects have appeared in the Press, and instructs me to press that action may be taken to prevent the publication of such articles.

I have, &c.,

CONYNGHAM GREENE.

The Honourable

The State Secretary.

Telegram to BRITISH VICE-CONSUL, Johannesburg.

August 25, 1899.

Please inform Chairman of Uitlander Council in connection with his letter to me of July 18th, that, in accordance with instructions from the Secretary of State, I am calling the attention of the Government of the South African Republic to newspaper articles threatening the murder of British subjects, and am pressing for action to be taken to prevent the publication of such articles. With reference to my private letter of yesterday, please ask Uitlander Council to co-operate in obtaining for me exhaustive evidence of this press campaign from as far back as possible of threats against British subjects, for representation to the Government here, and for communication to Her Majesty's Government.

No. 16.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received September 27, 1899.)

SIR,

Government House, Cape Town, September 6, 1899.

IN continuation of my despatch of the 30th ultimo,* respecting the political representation of the Uitlanders in the South African Republic, I have the honour to transmit to you, for your information, copies of further correspondence with Her Majesty's Agent at Pretoria on the subject.

From H.M. Agent, Telegram 283.	31/8/99.
To " " " 39.	31/8/99.
From " " " 284.	31/8/99.
From " " " 285.	31/8/99.
From " " Despatch 300.	26/8/99.
From " " " 305.	1/9/99.
From " " Telegram 298.	5/9/99.
To " " " 45.	5/9/99.
From " " Despatch 306.	2/9/99.
From " " " 307.	3/9/99.

With regard to one point dealt with in these enclosures—the nature of the semi-official communications between Mr. Conyngham Greene and the State Attorney, with respect to the franchise proposals of the South African Republic embodied in their notes of the 19th and 21st August—I enclose an extract

from the "South African News" of the 5th instant, reproducing a statement which appeared in the "Free State Express," and which has generally been adopted by the Afrikaner Press as representing what actually passed. This statement is, for the most part, at variance with both the facts as known to you and the account given by Mr. Greene in his despatch of the 26th August, and I have no doubt that you will agree with me in thinking that Mr. Greene's explanation fully justifies him in sending the two telegrams of the 25th August, No. 277 A and B, which I cabled† to you at the time. With the despatch just referred to, Mr. Greene sent me the original draft of the first of these telegrams (No. 277 A) as annotated in Mr. Smuts's handwriting, and also the type-written draft of a simplified franchise law, with pencilled amendments, accepted by Mr. Smuts. I enclose copies of these with the alterations shown in red ink.‡

Turning to the main question, the Government of the South African Republic have formally withdrawn the proposals for a five years' franchise and eight new seats for the Uitlander population, but they make no serious attempt to deal with the situation created by this action. In the second paragraph of their note of the 2nd September they appear to maintain their objections to your first proposal for a joint enquiry into

* No. 6.

† No. 1 in [C. 9521].

‡ Shown here in italic and obliterated type.

the effect of the franchise measures recently adopted, while in the 10th paragraph they ask for further information as to the views of Her Majesty's Government with regard to the composition of the Commission and the time and place of meeting. The inference is that the Government of the South African Republic, pursuing their usual dilatory tactics, desire to prolong the present crisis by engaging Her Majesty's Government in a correspondence on these matters of detail, while leaving themselves free to reject the whole proposal when the correspondence has served its purpose. To attempt to deal with the situation by despatch would, however, be a mere waste of time, as the position will doubtless have entirely altered before the present despatch reaches your hands, and the present state of affairs is now so grave that it will be necessary for Her Majesty's Government to base their further action on such information as I am able to furnish by telegraph.

I have, &c.,
A. MILNER,
Governor and High Commissioner.

Enclosure 1 in No. 16.

From HER MAJESTY'S AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

August 31st. No. 283. Urgent. This morning the newspapers have as usual published a wholly incomplete summary of my note to this Government of yesterday, omitting all reference to our independent enquiry compromise. Do you wish me to publish complete text of my note informing the State Secretary of the reasons for which I have done so.—GREENE.

Enclosure 2 in No. 16.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S AGENT, Pretoria.

TELEGRAM.

31st August, 1899. No. 39. Your telegram, No. 283. You should for the moment confine yourself to informing Press that summary is misleading and incomplete.

Enclosure 3 in No. 16.

From HER MAJESTY'S AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

August 31st. No. 284. I am informed that in the Volksraad this morning the Secretary of State's despatch of July 27th, the note to me from this Government of August 19th, and my note to the Government of the South African Republic of yesterday were read out, and the House summoned to meet again in secret session at 7 o'clock to-night, to consider these papers. Owing to the fact that a wholly incomplete and inaccurate summary of my note of yesterday had as usual appeared in this morning's newspapers, from which, for instance, all reference to the proposed enquiry by the British Agent was omitted, I have handed to the local representative of the Press the complete text of my note, and requested them to publish, in order to correct the misleading summary derived from I know not what source which they had previously published of the real contents of the note.—GREENE.

Enclosure 4 in No. 16.

From HER MAJESTY'S AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

31st August, 1899. No. 285. Referring to your telegram, 38, following received from State Secretary, South African Republic:—*Begins*:

In reply to your notes of yesterday and to-day, conveying desire of High Commis-

sioner that the answer of South African Republic to the official despatch which you handed yesterday shall not in any case be deferred beyond Saturday, I give you herewith assurance that unless something quite unforeseen should prevent, reply of South African Republic will be delivered you not later than Saturday next.—GREENE.

Enclosure 5 in No. 16.

BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

SIR,

Her Majesty's Agency, Pretoria, August 26, 1899.

WITH reference to my telegrams, No. 277 A and B of yesterday, I have the honour to transmit to Your Excellency herewith copies of a semi-official and of a private letter which I have received from the State Attorney, dated yesterday, on the subject of the pending negotiations with the Government of the South African Republic on the question of the political representation of the Uitlanders.

The former of the two letters, as Your Excellency will observe, informs me that the proposals put forward by this Government in its official note of the 19th instant will not be altered or amplified, and that the decision of Her Majesty's Government will have to be arrived at on those terms as they stand; while the private letter disputes the accuracy of my version of my conversation with the State Attorney recorded in my telegram to Your Excellency, No. 248 B of the 14th instant.

Before referring to these communications in detail, I venture to remind Your Excellency very briefly of the history of the negotiations.

About a fortnight ago the State Attorney sounded me on behalf of his Government as to how Her Majesty's Government would be likely to view an offer on the part of the Transvaal Government of a seven years' retrospective franchise with an increase of seats, in return for the withdrawal of the demand of Her Majesty's Government for a joint inquiry, and for certain other assurances in the matter of the suzerainty, non-interference in the internal affairs of the Republic, and arbitration. I would not, as Your Excellency is aware, at the time agree to make any suggestions on the seven years' basis, but I consented to recommend the scheme for the consideration of Her Majesty's Government when it had been amended to a five years' franchise, eight new seats for the Gold Fields, a simple franchise law and other advantages.

In agreeing to put forward these proposals and to recommend them to the serious attention of Her Majesty's Government I was guided by the following considerations.

It was the first time in my whole experience of diplomatic work here that the Government of the South African Republic had ever *approached* Her Majesty's Government. Up till now our diplomatic intercourse had consisted of an interminable interchange of recriminating correspondence.

I had been given to understand that the Government were alarmed at the outlook at home. The Marquess of Salisbury and Mr. Chamberlain had just delivered important speeches in Parliament, and the South African Vote had been carried without a division, in the House of Commons. Large bodies of troops were stated to be in readiness in England, and an additional force prepared to embark for South Africa from India. It was evident that Her Majesty's Government were determined to come to a satisfactory solution of the Uitlander question, and I myself impressed this view on the State Attorney.

The assurances asked by the Government of the South African Republic on the question of suzerainty and non-interference did not amount, as explained to me by the State Attorney, to more than concessions to Boer susceptibilities; they were to be "assumed" by the Transvaal Government as being corollaries to their own proposals, but did not, in their original offer, take the form of a definite bargain. In any case they were matters for the decision of Her Majesty's Government on their merits and not for me.

I was aware that there was a section of the Uitlander population which would be satisfied with moderate concessions provided that they offered a reasonable prospect of speedily putting an end to the existing paralysis of business, and to the prevailing panic in private life, and held out some hope of a satisfactory settlement of the crisis otherwise than by the sword.

I felt that it would be difficult for me to refuse to submit to Her Majesty's Government a proposal which, as it was offered to me, professed to be a surrender—on the franchise issue—to the Bloemfontein minimum.

I feared that there was always the risk that the Transvaal Government might endeavour once more to forestall us by bringing forward another modified franchise law, independently of us, and thereby tie our hands; whereas by submitting the proposal made to me, they had now definitely committed themselves to consult us in the matter, a course which up till now they had resolutely refused to adopt.

Lastly I felt that, so long as I was here in a diplomatic capacity, as Her Majesty's Agent, it could only be the earnest desire of Her Majesty's Government that I should leave no stone unturned to fairly consider any advance, however unpromising, on the part of the Government of the South African Republic, and neglect no opportunity of endeavouring to arrive at a peaceful solution of the difficulty.

Acting on these considerations I communicated the proposals of the Government of the South African Republic, as advanced by the State Attorney, to Your Excellency, and in obedience to instructions received in reply, I invited the State Secretary to put these proposals forward in an official form, which he did in his note to me of the 19th of August.

I noticed at the time that there were omissions in, and discrepancies between this document and the scheme as originally agreed upon with the State Attorney, but as I had been desired by Your Excellency not to express any opinion on the details of the proposals, nor to see the note in draft form, I forwarded the latter to Your Excellency as it stood, without taking official notice of the special points of difference subsequently referred to by the Secretary of State.

I now propose to take those points of difference—five in number—in detail.

I will take the points Nos. 1 and 4 together as they both refer to the franchise. I cannot, I think, do better than enclose herewith the original of my telegram, No. 248 A, which, as Your Excellency will see, is initialed by the State Attorney himself and bears annotations in other places in his own handwriting. I feel therefore that it is unnecessary for me to add any further proof that the version I gave in that telegram of the 4th point of difference mentioned by the Secretary of State (that referring to the discussion of the scheme with the British Agent) is absolutely the version approved of by Mr. Smuts, but subsequently departed from in the official note of August 19th. As regards point No. 1 (the new law to be simplified), I cannot do better than enclose the original of the draft franchise law submitted to me by the State Attorney, and bearing corrections in the way of further simplification of conditions, agreed to between us at a meeting at Her Majesty's Agency.

I think it is clear from those documents that the State Attorney had agreed expressly to points 1 and 4 (franchise).

I now turn to point 5 (exchange of notes).

It was not my intention at the time I despatched my telegram, No. 248 B to Your Excellency, to convey that any proviso to this effect was to be embodied in the official proposal of the Government of the South African Republic. What I intended to convey was the suggestion that the guarantee of Her Majesty's Government of the Franchise scheme, a matter of the utmost importance to the Uitlanders, but a touchy point to the Transvaal Government, might be covered by the formal exchange of notes; in other words, that the exchange of the formal proposals of the Government of the South African Republic and the formal reply of Her Majesty's Government to those proposals, might in themselves constitute a sufficiently binding understanding between the two Governments, and obviate the necessity for another form of guarantee, which, however desirable from our point of view, might not be so acceptable to the Transvaal. I did not anticipate that Her Majesty's Government would be particularly eager to fall in with this form of guarantee, which was only desirable from a diplomatic point of view as a possible eventual compromise, and I did not therefore, for obvious reasons, suggest that it should be put forward in the original proposals. I do not, therefore, join issue with the State Attorney on this point of difference.

I now turn to the last two points, Nos. 2 and 3.

As regards No. 3 (election of President and Commandant-General), this is a matter which, as Your Excellency is aware from my telegram, No. 186 (which, I may add, I submitted some time back, on receipt of Your Excellency's telegram, No. 18, of the 17th instant, to the State Attorney for his approval, with a view to its publication in

the Blue Book), I have before now discussed with Mr. Smuts. It was from Mr. Smuts's own lips that I first learned, as the telegram shows, that any change was in contemplation in the manner of electing either of these officials, and it follows, I think, that I must have been perfectly acquainted with his views. It was for this reason that, when discussing with him the preliminary proposals set out in my telegram, No. 248 B, I was careful to obtain an admission from him that any future change in the manner of election of the President and Commandant-General should be discussed between the two Governments. I had more than once pointed out to him that a new scheme of election, say, by the majority of the Volksraad, as he had suggested as a possible modification, would entirely exclude the Uitlanders, with only one quarter representation in the Raad, from the chance of electing their own President, whereas, with a five years' franchise and a simplified law, it was quite possible that the new burghers might, before the next Presidential election, outnumber the old burghers, or at any rate bring enough voters to the poll to greatly influence, if they could not actually carry, the election.

I now turn to the last remaining point of difference, No. 2 (new members to use their own language). I may remark that, although this was a matter which, as Your Excellency is aware, I had already discussed with the State Attorney, I again referred to it on Friday last, on receipt of Your Excellency's telegram, No. 24. We were both thoroughly in accord in the matter, and I pointed out to Mr. Smuts that it would be pure waste of time to give the Uitlander community representation in the Volksraad and compel their members to speak in Dutch, or else hold their peace. How, I asked, could prominent Uitlanders like Mr. Rouliot, a Frenchman, Mr. Albu, a German, or one of our own people, represent his views if he were to be restricted to the use of a language of which nine-tenths of the Uitlanders were completely ignorant. I said that, however much I myself wished to see English and Dutch on an equal footing in the Transvaal, as in the Cape Colony, I would not put the matter on that ground for the sake of appearances, but merely base my case on the general ground that it was ridiculous to elect an Uitlander of whatever nationality for the Volksraad and expect him to speak a strange tongue. Mr. Smuts did not in the least dispute this argument, and, in fact, when he left me to lay the various points of difference before the Executive Council, I had no suspicion, as far as his remarks were any guide, that his opinions were not shared by his Government, which views I naturally presumed that, as a highly placed official, he was empowered to express.

Personally it was just on this very point (not to mention the question of the Presidential election) that I myself anticipated a hitch, and I was therefore all the more struck by the manner in which Mr. Smuts fell in with the reasonableness of my remarks.

I have nothing further to add on the points of difference. Your Excellency will understand how disagreeable it is for me to have to challenge Mr. Smuts's version of our conversation. The fact is, in my opinion, that whatever misunderstanding may have arisen between us both is not due to any misconception of each other's views, but simply to the probability that Mr. Smuts admitted more to me in conversation than his Government were subsequently prepared to endorse. At any rate, I can merely adhere to the accuracy of my version.

I need only add that Your Excellency will understand that I should indeed have hesitated in recommending any scheme to the serious consideration of Her Majesty's Government which was likely either to imperil the new burgher's chance of electing his own President, or to put ten Uitlander members into the Volksraad, and practically either restrict these representatives to the few persons who happened to be able to speak Dutch as well as their own language, or else oblige them to remain dumb spectators of the political conflict.

In conclusion, I need only remind Your Excellency that the proposals which were originally agreed upon between the State Attorney and myself, and reported to you in my telegrams, Nos. 248 A and B of August 14, were, when subsequently presented in the official note to me of August 19th, not adhered to; that these proposals, which in their original shape were of the nature of a friendly *rapprochement*, were subsequently reduced to a regular "Kaffir bargain," on the strict "do ut des" principle, by the second note to me from the Government of the 21st of August; and lastly that, even then, these reservations were further accentuated by the semi-official and the private letter to me from the State Attorney of August 25th.

Having regard to all the above circumstances, Your Excellency will, I think, agree

with me that it is difficult to avoid the conclusion that, even if the State Attorney was, at the outset, actuated by a sincere desire to bring about an understanding, yet the subsequent course of the negotiations was hardly such as to inspire absolute confidence in the *bona fides* of the Government of which he was acting as the representative.

I have, &c.,
CONYNTHAM GREENE.

His Excellency
The High Commissioner,
Cape Town.

State Attorney's Office, Pretoria,

DEAR MR. CONYNTHAM GREENE, August 25, 1899.

I HAVE seen Mr. Reitz in reference to the wire which you received from your Government yesterday (Secretary of State to High Commissioner, August 23, 1899.)

The terms of a settlement as embodied in the formal note of this Government, dated 19th August, were very carefully considered, and I do not believe that there is the slightest chance that those terms will be altered or amplified. Your decision will therefore have to be arrived at on those terms as they stand.

Yours, &c.,
J. C. SMUTS.

(Private.)

State Attorney's Office, Pretoria,

DEAR MR. CONYNTHAM GREENE, August 25, 1899.

I HAVE referred to my notes of conversations we have had together on various subjects in connection with the Franchise Law, and which Mr. Chamberlain refers to in his telegram to you of yesterday.

I find that in July you spoke to me about the language question, and that I then said to you that in my opinion it would do no good to raise that point, as it would probably settle itself in case a member of the Volksraad should be unable to express himself in the official language. I referred specially to the case of a man like Mr. George Albu, as you will probably recollect.

Again on August 13th and 14th we talked over the same subject, and I again expressed my opinion that this question should not be raised between the two Governments, as it would be decided as a party question in the Volksraad itself.

Your private telegram to the High Commissioner of 14th August, of which you gave me a copy last night, attributes to me the statement that members for the Gold Fields would be permitted to speak in their own tongue. This, however, is obviously due to a misunderstanding, as it was my intention all along to convey to you my impression that it would be a mistake to make the language question a point between the two Governments.

With regard to discussing with you future changes of the mode of electing the President and Commandant-General, my notes do not go further than the paragraph in your telegram of August 14th, embodying the terms of a settlement. I have at various times mentioned to you a possible mode of arranging these elections, but I do not remember having gone further than the statement that new burgher population would have the same elective power as the old.

I am very sorry that this misunderstanding should have arisen and produced an apparently wrong impression on the minds of Her Majesty's Government. I never intended these conversations to be conveyed to your Government, and would have spoken in such terms as to have removed all possible cause of misunderstanding from your mind.

Yours, &c.,
J. C. SMUTS.

Enclosure 6 in No. 16.

BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

SIR,

Her Majesty's Agency, Pretoria, September 1, 1899.

I HAVE the honour to report that on the receipt of Your Excellency's telegram, No. 36, of the 29th of August, I drew up the note of which a copy is enclosed to the Government of the South African Republic, and handed it on the following day in person to the State Secretary.

Mr. Reitz read over the note in my presence, but would not commit himself in any way as to the probable nature of the reply which his Government might return to it, and I myself did not press him for an expression of his own personal views.

After the note had been read, I explained to Mr. Reitz that Her Majesty's Government had taken note of the desire of the South African Republic, as expressed in their note to me of the 19th of August, for an early settlement of the questions in dispute, and that they fully shared it, but that I was instructed to point out that the Government of the South African Republic had taken more than a fortnight to reply to the last offer of Her Majesty's Government, and, indeed, had in all cases been very slow in replying to my official communications. I was therefore, I said, instructed to express the hope of Her Majesty's Government that on the present occasion they might be favoured with an immediate reply to the note which I had just handed in.

I suggested that the State Secretary should agree to give me the reply of his Government by Saturday, the 2nd of September.

In reply, Mr. Reitz said that as the Volksraad was sitting, and there were two clear days in hand in which to consider the communication of Her Majesty's Government, he would endeavour to let me have a reply by the date suggested by me.

Before leaving, I took the opportunity of speaking very plainly to Mr. Reitz, as an expression, of course, of my own personal opinion only, as to the seriousness of the situation. I reminded him of the recent utterances of the Prime Minister on the Transvaal question, and of the important speech delivered as lately as Saturday last at Birmingham by the Secretary of State for the Colonies. I could not, I said, help feeling that if the reply of the Government of the South African Republic to the present communication from Her Majesty's Government which I had just handed in were not to be prompt and satisfactory, and if it became necessary for Her Majesty's Government to despatch further troops to South Africa, it was only to be expected that they would feel justified in withdrawing their previous suggestion for a compromise. In that case, I said that I felt convinced that Her Majesty's Government would formulate their own demands for a settlement, not only of the Uitlander question, but also of the future relations that should subsist between Great Britain and the Transvaal State.

In conclusion, I said that it might be desirable to record the wishes of Her Majesty's Government with respect to an early reply in some formal way, and I suggested that I should send to Mr. Reitz a semi-official note in the above sense.

Accordingly, on my return home, I addressed the letter of which a copy is enclosed, to Mr. Reitz, and subsequently, on receipt of Your Excellency's telegram, No. 38, of the 31st of August, sent him a further communication, emphasizing the desire of Her Majesty's Government for an immediate answer.

Copies of my letter and of Mr. Reitz's reply are annexed.

Yesterday morning the President entered the Volksraad, and, addressing the House, said that he wished to submit to the Raad the latest correspondence that had passed between his Government and that of Her Majesty, and added that he would then ask the Raad to meet in secret session the same evening at 7 o'clock. The State Secretary then read the despatch from the Secretary of State to Your Excellency of the 27th of July, the notes from the Government of the South African Republic to myself of the 19th and 21st of August, and my note to the Government of the 30th of the same month.

After these documents had been read, the President rose and made an explanatory statement as to the words used by him and quoted in the Secretary of State's despatch above referred to, at the Conference held at Newcastle in May, 1881. Subsequently Mr. A. D. Wolmarans and the State Secretary addressed a few remarks to the House, and the session was adjourned.

In conclusion I will only mention that, as has been the case on previous occasions, the "Standard and Diggers' News" and other papers, published a wholly incomplete and inaccurate summary yesterday morning of the contents of my note of the 30th

August to the Government of the South African Republic. Your Excellency will notice, by a perusal of the annexed extract* from yesterday's "Standard and Diggers' News," that no mention is made in the so-called summary of my note of the suggestion of Her Majesty's Government for an independent inquiry by the British Agent into the question of the political representation of the Uitlanders.

On making inquiry of the local representatives of the Press as to the source from which they derived the information contained in these summaries, I have been informed independently by four of the newspaper correspondents that the statement published by them was supplied to them by the State Secretary.

I have not considered it worth while to take any notice of these inaccurate versions, as I am aware from previous experience that it is useless [to attempt] to obtain any satisfactory explanation from the Government.

I have, &c.,
CONYNTHAM GREENE.

His Excellency
The High Commissioner,
Cape Town.

SIR,

Her Majesty's Agency, Pretoria, August 30, 1899.

WITH reference to your notes to me of the 19th and 21st instant, I have to state to you that Her Majesty's Government have considered the proposals which the Government of the South African Republic have put forward therein as an alternative to those contained in the telegram from the Secretary of State to the High Commissioner of the 31st of July last, the substance of which I had the honour to communicate to you in my note of the 2nd of August.

Her Majesty's Government assume that the adoption in principle of the franchise proposals made by the High Commissioner at Bloemfontein will not be hampered by any conditions which would impair their effect, and that by the proposed increase of seats for the Gold Fields and by other provisions the Government of the South African Republic intend to give immediate and substantial representation of the Uitlanders.

That being so, Her Majesty's Government are unable to appreciate the objections entertained by the Government of the South African Republic to a Joint Commission of Inquiry into the complicated details and technical questions on which the practical effect of the proposals depends. Her Majesty's Government will, however, be ready to agree that the British Agent, assisted by such other persons as the High Commissioner may appoint, shall make the investigation necessary to satisfy them that the result desired will be achieved, and failing this, to enable them to make those suggestions which the Government of the South African Republic state that they will be prepared to take into consideration. Her Majesty's Government assume that every facility will be given to the British Agent by the Government of the South African Republic, and they would point out that the inquiry will be easier and shorter if the Government of the South African Republic will omit in the proposed new law the complicated conditions as to previous registration, qualification and behaviour which accompanied their previous proposals, and which would have entirely nullified their beneficial effect. Her Majesty's Government hope that the Government of the South African Republic will wait to receive their suggestions founded on the report of the British Agent's investigation before submitting these new proposals to the Volksraad and the burghers.

With regard to the conditions of the Government of the South African Republic:—

First, as regards intervention, Her Majesty's Government hope that the fulfilment of the promises made, and the just treatment of the Uitlanders in future will render unnecessary any further intervention on their behalf, but Her Majesty's Government cannot of course debar themselves from their rights under the Conventions, nor divest themselves of the ordinary obligations of any civilised Power to protect its subjects in a foreign country from injustice.

Secondly, with regard to suzerainty, Her Majesty's Government would refer the Government of the South African Republic to the second paragraph of the despatch of

* Not reprinted.

the Secretary of State to the High Commissioner of the 13th of July last, a copy of which I had the honour to forward to you in my note of the 8th instant.

Thirdly, Her Majesty's Government agree to a discussion of the form and scope of a tribunal of arbitration from which foreigners and foreign influence are excluded.

Such a discussion, which will be of the highest importance to the future relations of the two countries, should be carried on between the President of the South African Republic and the High Commissioner, and for this it appears to be necessary that a further Conference, which Her Majesty's Government suggest should be held at Cape Town, should be at once arranged.

Her Majesty's Government also desire to remind the Government of the South African Republic that there are other matters of difference between the two Governments which will not be settled by the grant of political representation of the Uitlanders and which are not proper subjects for reference to arbitration. It is necessary that these should be settled concurrently with the questions now under discussion, and they will form with the question of arbitration proper subjects for consideration at the proposed Conference.

I have, &c.,
CONYNGHAM GREENE.

The Honourable
The State Secretary.

Her Majesty's Agency, Pretoria, August 30, 1899.

DEAR MR. REITZ,

WITH reference to our conversation of this morning Her Majesty's Government have noted the desire of the Government of the South African Republic, as expressed in your note of August 19, for an early settlement, and fully share it, but must point out that the Government of the South African Republic took more than a fortnight to reply to their last offer, and in all cases have been very slow in replying to their communications. I am, therefore, now to express the hope of Her Majesty's Government that on the present occasion they may be favoured with an immediate reply to the note which I handed to you this morning.

I am, &c.,
CONYNGHAM GREENE.

The Honourable
F. W. Reitz,
State Secretary.

Her Majesty's Agency, Pretoria, August 31, 1899.

DEAR MR. REITZ,

WITH reference to our conversation and my semi-official letter to you of yesterday, I have this morning received a further telegram from the High Commissioner, pressing me for an early answer to the official note which I had the honour to hand to you yesterday, and desiring me to express His Excellency's earnest hope that the answer of your Government may not in any case be deferred beyond Saturday.

I am, &c.,
CONYNGHAM GREENE.

The Honourable
F. W. Reitz,
State Secretary.

DEAR MR. GREENE,

Pretoria, August 31, 1899.

REPLYING to your notes of yesterday and to-day, conveying the desire of the High Commissioner that the answer of our Government to the official note which you handed to me yesterday shall not in any case be deferred beyond Saturday, I give you herewith

the assurance that (unless something quite unexpected and un contemplated should prevent) our reply will be delivered to you not later than Saturday next.

Yours truly,

F. W. REITZ.

Conyngham Greene, Esq., C.B.,
British Agent,
Pretoria.

Enclosure 7 in No. 16.

From HER MAJESTY'S AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

TELEGRAM.

5th September. No. 298. Urgent. My telegram, No. 293. State Secretary informs me President is anxiously awaiting reply as to when note of Government of South African Republic to me of Saturday may be published here. He asks whether it would be possible for you to cable the full text of the note to London to-day, in order that it might be published here to-morrow.—GREENE.

Enclosure 8 in No. 16.

From the HIGH COMMISSIONER, Cape Town, to HER MAJESTY'S AGENT, Pretoria.

TELEGRAM.

5th September. No. 45. Your telegram, 298. I cabled translation of note of 2nd September to Secretary of State this afternoon.

Enclosure 9 in No. 16.

BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER.

SIR, Her Majesty's Agency, Pretoria, September 2, 1899.

WITH reference to my telegram, No. 288, of yesterday, I have the honour to transmit to your Excellency herewith a translation of a semi-official letter which I have received from the State Secretary, dated the 1st instant, in which Mr. Reitz encloses a copy of a Note, dated the 12th of August, which had been drawn up by the Government of the South African Republic, in reply to my Note of the 2nd of August conveying the invitation of Her Majesty's Government to the Transvaal Government to take part in a joint inquiry into the political representation of the Uitlanders.

Your Excellency will notice that Mr. Reitz states that, for the reasons assigned by him, and owing to the fact that the position had been modified by subsequent communications the Note in question had not been delivered to me.

I have, &c.,

His Excellency
The High Commissioner,
Cape Town.

CONYNGHAM GREENE.

(Translation.)

SIR, Ministry for Foreign Affairs, Pretoria, September 1, 1899.

I HAVE the honour to acknowledge the receipt of your semi-official communication of 30th of August, 1899, and in reply thereto to remark, that, as it appears to be generally supposed that there was unnecessary neglect on the side of this Government in despatching a reply to the telegraphic communication of the Secretary of State for the Colonies accompanied by your Note of the 2nd of August, I wish in the first place to point out that this Government had drawn up an answer to it some considerable time ago, and was ready to hand it over, but that in consequence of semi-official negotiations

between you and the State Attorney, and the consequent Despatch of this Government of the 19th of August, the sending of the said answer was, in consultation with you, withheld.

Although the position has been somewhat altered by communications received from you later, and which at present are engaging the attention of this Government, I suppose it is still necessary to acquaint you with the contents of the aforesaid answer, and consequently enclose herewith the original of the same.

With reference further to the written despatch of the Secretary of State for the Colonies of 27th of July, 1899, received by me on the 23rd of August, 1899, amended by your Note of yesterday, and which this Government understands to be a further explanation of the telegraphic communication of 2nd of August, 1899, my Government intends to answer it immediately in full; the said Despatch embraces so much that further time is necessary to answer it.

The answer of the Government to the Despatch of the Secretary of State of 30th of August will be handed to you, if possible, to-morrow.

I have, &c.,

F. W. REITZ,

State Secretary.

Conyngham Green, Esq., C.B.,
British Agent, Pretoria.

(Translation.)

SIR, Ministry for Foreign Affairs, Pretoria, August 12, 1899.

The Government of the South African Republic has the honour to acknowledge the receipt of your note of the 2nd instant, whereby Her Majesty's Government invite His Honour, the State President "to nominate delegates to discuss with delegates to be appointed by His Excellency on behalf of Her Majesty's Government whether the Franchise Law recently passed by the Volksraad, together with other measures connected with it, such as increase of seats, will give substantial and immediate representation to the Uitlander population, and, if not, what alterations or additions may be necessary to secure that result," and subject to the further understanding that in this discussion the delegates of Her Majesty's Government would be free to make any suggestions calculated to improve the measures in question, and to secure their attaining the desired end"; it has further taken notice of a communication subsequently handed in by you to the effect that "the proposed joint inquiry must be confined to the question of the political representation of the Uitlanders in the manner suggested, but after that enquiry is concluded the High Commissioner will be ready to discuss with President of the South African Republic not only the report of the inquiry and the Franchise question but also other matters, including arbitration without introduction of foreign element," and both these communications have been taken into serious consideration by His Honour the State President and the Executive Council.

In such consideration the Government has conceived itself bound, as always, to keep in view the fact that the Convention of London of 1884, entered into between this Republic and the Government of Her Britannic Majesty, assures to the South African Republic entirely free internal government, without intervention of any parties whatever, and this principle has always since been fully recognised and maintained, as will appear abundantly, among other things, from extracts of despatches attached hereto in Appendix A.

This Government trusts that it may rest assured that by making suggestions for a joint inquiry in your Note at present under consideration, Her Majesty's Government have no intention to derogate in any way from this recognised independence or to meddle with the internal affairs of this Republic.

This Government, although always desiring earnestly if, and as far as possible, to listen to any request made by Her Majesty's Government, by which the so-called Uitlander question in this Republic might be solved in a satisfactory manner, and at the same time the so much desiderated co-operation and good understanding between it and Her Majesty's Government could be confirmed, can however, judging from the invitation received from the above-mentioned standpoint, come to no other conclusion than, and wishes to express its view that, although the request may not have that intention, the effect of the acceptance of the invitation would still prejudice the above-mentioned recognised existing rights of this Republic, and will be so understood both by the Volksraad and the people; the right of full internal government cannot otherwise than suffer a

serious blow if, as a matter of fact, deputed commissioners are officially admitted or instructed to decide as judges about the efficiency of a law passed and promulgated by the highest legislative power of the land, and either to ratify it or not.

This Government is convinced that Her Majesty's Government, recognising the validity of the objections stated to acceptance of the invitation, or at least perceiving that possibly the latter might be explained as not being in agreement with the recognised rights of this Republic, will abandon that invitation in the manner and form as at present proposed.

It wishes once more to recall that it has repeatedly expressed its willingness to take into the most serious consideration all friendly hints and suggestions of Her Majesty's Government calculated to remove the grievances which Her Britannic Majesty's subjects believe they have ; as may appear, last, from its communication of 13th of July, 1899, in which it declared itself ready to take into consideration, in the spirit of friendly co-operation, any suggestion of Her Majesty's Government, and in that spirit it remains always ready to work on.

Assuming that it is merely the intention of Her Majesty's Government to get information and assurance with regard to the significance, tendency and scope of the franchise law, and the plan of representation for the Uitlander population of the Goldfields. And with regard to the efficiency of that Law, it believes that the end contemplated by Her Majesty's Government can be equally well attained by asking questions and obtaining information about the intention and tendency of the above-mentioned measures, as also of statistical matters and local affairs—in which the Government professes itself willing to assist—in order to ascertain the actual effect of those measures, and if desired by this Government to offer advice about these subjects.

In connection with this subject it conceives itself bound to notice that a judgment can only be formed as to whether a law answers its purpose or not, if it has been in operation for some time, and suggests whether any inquiry to be set on foot now would not be premature.

This Government supposes it may assume that Her Majesty's Government is acquainted with the contents of the recently passed Law No. 3, 1899, about naturalisation and franchise—a copy of which marked B. is moreover attached hereto.

With regard to the representation of the Witwatersrand Goldfields in both Volksraads this Government proposes to grant four new members in each Volksraad to those Goldfields. The division of the Goldfields for that purpose is entrusted to a commission of officials, who are charged to recommend without delay a proportional division into electoral districts, as will appear from the copy of the Executive Council Resolution which I have the honour to deliver herewith marked C.

It is the intention of the Government that the new members shall take their seats in each case not later than in the next ordinary session of the Volksraads.

The important hints given by His Excellency the High Commissioner on behalf of Her Majesty's Government in the Bloemfontein Conference have been kept in view in the drawing up and subsequent improvement of the new legislation about naturalisation and the franchise and resolution about representation in this Republic, the regulations of which, if the Uitlander population makes use of it will as this Government can with full confidence assure Her Majesty's Government, by their operation most certainly give an actual and immediate representation, and will afford the means to put an end to the grievances which some of them believe they have against the Republic, and this Government cherishes the hope that Her Majesty's Government will, after thorough investigation and the information offered by this Government, share that hope, and be willing to accept that assurance. This Government does not wish by the foregoing to be understood that there would be difficulty if Her Majesty's Government might so wish about agreeing to the holding of a Conference for a friendly discussion of all points whether of difference or of common interest which demand discussion or consideration, in the spirit and for the purpose contemplated in convoking the Conference at Bloemfontein.

This Government takes the liberty of making use of this opportunity to point out that, according to intelligence in the newspapers and recently in speeches of Ministers of Her Majesty, the assertion has been made that this Government has made promises to English subjects at the time of the making of the Convention, which have not been fulfilled. As this Government has always earnestly desired to fulfil its obligations, and also claims always to have done so, it cannot but express its regret that that assertion has found expression in this way and at this date, and that no communication has been addressed to it with respect to that in order to give it opportunity to refute that statement, or to remove some apparently existing misunderstanding on that point. This

affair might at the same time form a point of discussion at a Conference as suggested above.

Returning to the communication accompanying the invitation, this Government understands from it with pleasure that there is a good prospect for friendly negotiations, whereby it cherishes the hope that the much desiderated result will be attained—to get points of difference between the two Governments decided by means of arbitration.

Conyngham Greene, Esq., C.B.,
British Agent, Pretoria.

Aanhangsel A.

Extract uit een brief van the Right Hon. the Earl of Derby to the Transvaal Deputation.

Downing Street, February 15, 1884.

By the omission of those articles of the Convention of Pretoria, which assigned to Her Majesty and to the British Resident certain specific powers and functions connected with the internal government and the foreign relations of the Transvaal State, your Government will be left free to govern the country without interference, and to conduct its diplomatic intercourse and shape its foreign policy subject only to the requirement embodied in the fourth Article of the new draft, that any treaty with a foreign State shall not have effect without the approval of the Queen.

Extract uit een brief van den Heer Chamberlain to Sir Hercules Robinson.

Downing Street, February 4, 1896.

30. In the next place it is necessary that I should state clearly and unequivocally what is the position which Her Majesty's Government claim to hold towards the Government of the South African Republic.

31. Since the Convention of 1884, Her Majesty's Government have recognised the South African Republic as a free and independent Government as regards all its internal affairs not touched by that Convention.

Extract uit een telegram from the Secretary of State, London, to the High Commissioner, Cape Town.

March 26, 1896.

Her Majesty's Government do not claim any right under the Convention to prescribe the particular internal reforms which should be made in the South African Republic.

Aanhangsel C.

Besluit van den Uitvoerenden Raad van den 27sten Juli, 1899.

Aan de orde Minute R. 9498/99, inhoudende correspondentie omtrent de ver-
tegenwoordiging in den Eersten en Tweeden Volksraad voor de publieke delverijen ;

De Uitvoerende Raad

Lettende op Reggeringsmissive B.B. 1900/99, d.d. 19 Juni, 1899.

Lettende op Eerste Volksraadsbesluit Art. 377, d.d. 15 Juni, 1899.

Lettende op Regeeringsmissive B.B. 2157/99, d.d. 7 Juli, 1899.

Lettende op wet No. 12 van 1887.

Besluit :—

De Kiesafdeeling Witwatersrand-goudvelden, welke thans in den Eersten en Tweeden Volksraad vertegenwoordigd wordt door twee leden, te doen vertegenwoordigen door tien

leden zoodat genoemde kiesafdeeling gesplitst zal worden in vijf zooveel mogelijk evenredige kiesafdeelingen, waarven welke afdeeling twee leden zal kiezen.

Het hoofd van het Mijnwezen, de mijncommissarissen de Veldcornetten en de Commandanten van deze Kiesafdeeling zullen met medewerking van de twee Volksraads leden der Kiesafdeeling Witwatersrand goudvelden een voorstel aan de Regeering doen, hoe deze afdeelingen te vormen, om daarna van Artikel 2 van Wet No. 12 van 1887, de grenzen van elke afdeeling te kunnen proclameeren.

Verder Besluit de Uitvoerende Raad aan de Regeering op te dragen, na te gaan of het wenschelijk is, tengevolge van de uitbreiding en vermeerdering der bevolking ook andere del verijen tot kiesafdeelingen te verklaren in termen van Wet No. 12 van 1887.

Enclosure 10 in No. 16.

BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

SIR,

Her Majesty's Agency, Pretoria, September 3, 1899.

With reference to my despatch of the 1st instant, I have the honour to transmit to your Excellency herewith a translation of a Note which I have received from the State Secretary, dated yesterday, conveying the reply of the Government of the South African Republic to the Note which I addressed to them on the 30th of August on the subject of the political representation of the Uitlanders.

His Excellency,
The High Commissioner,
Cape Town.

I have, &c.,
CONYNGHAM GREENE.

(Translation.)

SIR,

Ministry for Foreign Affairs, Pretoria, September 2, 1899.

I have the honour to acknowledge the receipt of your Note of the 30th of August, with the correction thereof of 1st September, 1899.

This Government has heard with the deepest regret that Her Majesty's Government has not seen its way to accept the proposal of a five years' franchise and an extension of the representation of the Witwatersrand under the proposed conditions attached thereto, which were set forth in its Notes of 19 and 21 August, and the more so because it had supposed from semi-official discussions, which have been brought to the knowledge of Her Majesty's Government, that it might infer that its proposal would have been acceptable to Her Majesty's Government.

In consequence of that communication this Government considers that its proposal has lapsed, and in consequence also the necessity of laying the same before the Representatives of the People and the People.

2. This Government wishes to observe with regard to the remark of the Secretary of State, that Her Majesty's Government cannot understand the objections of the Government of the South African Republic to a Joint Commission of Inquiry as proposed, that the objections to the invitation as contained in the telegraphic despatch of 2nd of August have been already explained in a communication dated 12th of August (already forwarded to you yesterday).

3. With regard to a unilateral (instead of a Joint) Inquiry, as now suggested by Her Majesty's Government, this Government wishes to declare its willingness, if it should appear that the existing franchise law may be made more effective, to lay proposals before the Volksraad in order to alter or elucidate the same. If it can assist Her Majesty's Government with any information or explanations it is always, as before, quite ready to give the same: it appears, however, to it that the findings of a unilateral Commission, especially when made before the working of the law has been properly tested, are premature, and thus will probably be of little value.

4. Passing now to the discussion of the remarks made by Her Majesty's Government apropos of the conditions imposed by this Government, in the proposal, now lapsed in consequence of the non-acceptance of the conditions by Her Majesty's Government, this Government feels bound to observe:

- (a.) That this Government has never, with reference to the question of intervention either asked nor intended that Her Majesty's Government should abandon any right it may have as a matter of fact by virtue of either the Convention of London of 1884 or of General International Law, to take action here for the protection of British subjects.
- (b.) That with regard to the alleged existence of suzerainty the denial of its existence by this Government according to its view, has already been so clearly explained in its despatch of 16th of April, 1898, that it would be superfluous to repeat the facts, arguments, and consequences mentioned therein : it merely wishes to observe that it adheres to its contentions stated in that despatch.

5. With reference to a tribunal of arbitration this Government is pleased to see that Her Majesty's Government is prepared to enter into negotiations with regard to the form and scope of such tribunal : it is, however, not clear to it :

- (a.) If Her Majesty's Government consents that burghers of the Orange Free State may also be appointed as members of such tribunal.
- (b.) What subjects shall be submitted to the decision of such court.
- (c.) What are the subjects Her Majesty's Government thinks cannot be laid before such court : Her Majesty's Government states that there are such points, but does not specify them.

The object contemplated by this Government, *i.e.*, the securing of a final regulation of all points either now at issue or such as may subsequently arise, would, it opines, be altogether frustrated by these limitations.

6. With reference to the recommendation of a Conference to be held, this Government will await further communications from Her Majesty's Government before being able to deal with the matter further.

7. Moreover, this Government desires to remark that the proposal made by it with reference to the franchise and representation of the Uitlanders was extremely liberal, and as a matter of fact went further than the propositions of His Excellency the High Commissioner put forward at the Bloemfontein Conference.

The conditions attached by this Government were extremely equitable and did not demand from the side of Her Majesty's Government any abandonment of existing rights, but only required the assurance that Her Majesty's Government in the future would limit itself as regards this Republic by the Convention of London of 1884, and the generally recognised rules of International Law, and that moreover a principle should be put into practice with regard to questions at issue, the equity and justice of which are recognised by all civilised States, and of which this Government believes that Her Majesty's Government is a strong advocate.

8. This Government could never have expected that the answer of Her Majesty's Government to its proposal would be unfavourable, and it can only continue to cherish the hope that the terms of this as of previous communications will open a way along which a good understanding and solution of existing differences may be arrived at.

9. Although this Government cannot in any way abandon any of its rights, it would still be glad to convince and satisfy Her Majesty's Government that the franchise law which has been adopted, and the extension of the representation, with four new seats, will secure to the Uitlander population a substantial and immediate representation, if use is made of it, and that it is, for the rest, its intention to continue working with Her Majesty's Government on a friendly footing.

10. This Government taking notice of the difference that, in its view, exists in the invitation as contained in the telegraphic despatch of 2nd of August, and that explained in the despatch of 27th of July, 1899, of the Secretary of State for the Colonies, and further, of the fact that in the latter it is given to be understood that the most suitable way to treat the same (*i.e.*, points including complicated details and questions of a technical nature) would be to discuss them in the first place by means of deputies appointed by both Governments, who would have to report the result of their deliberations, and submit their recommendations to both Governments respectively, and assuming that thereby no interference is intended in the internal affairs of this Republic, nor with a view to constitute a precedent, but only to get information and to find out if the measures already taken are effective, and, if not, to show this Government in what points such is not the case, this Government would be glad to learn from Her Majesty's Government now it proposes that the Commission shall be composed, ~~and what time and place are suggested.~~

While this Government wishes to limit itself for the present to the above point, as far as the answer to the note of 27th of July is concerned, it intends to send on very shortly the further answer, as already communicated yesterday.

I have, &c.,

F. W. REITZ,
State Secretary.

Conyngham Greene, Esq., C.B.,
British Agent,
Pretoria.

Enclosure 11 in No. 16.

("SOUTH AFRICAN NEWS," September 5, 1899.)

Bloemfontein, September 4 (Special).—The "Express" learns from reliable, though unofficial sources, at Pretoria, that an interview between Mr. Conyngham Greene and State Attorney Smuts, referred to by Mr. Wolmarans in the Volksraad last week, the British Agent stated that the object the British Government had in view in suggesting a joint inquiry was to bring Johannesburg into the matter, and go beyond the Bloemfontein programme. The Uitlanders, said Mr. Greene, had collected all the facts which were to be laid before the Commission, and which would bring the opinion of the world round to them. The only way open to the Government was to accept as an alternative Sir Alfred Milner's Bloemfontein scheme in order to avoid an inquiry and more comprehensive claims. If this scheme were accepted, said Mr. Greene, the British Government would no doubt be found willing to relinquish the Suzerainty claim, and to grant arbitration on all other points of dispute.—"But would they?" was the natural reply.—Mr. Greene said he could make sure, and he then cabled through the High Commissioner, as stated by Mr. Reitz, and the reply was that the British Government would consider such a proposal on its own merits.

That was a non-committal reply which hardly satisfied the Transvaal Government. The British Agent was asked what he thought of it, and he said he considered it to be a favourable one. Thereupon the counter-proposal suggested by Mr. Greene was forwarded to Mr. Chamberlain. Mr. Chamberlain's next step was to inquire from the Transvaal Government whether, in case that counter-proposal was accepted, the English language would receive equal rights and status with the Dutch in the Legislature of the Republic, and whether the Transvaal would bind itself never to alter the terms appertaining to the election of President and Commandant-General, except with the consent of the British Government.

The Transvaal authorities were now becoming suspicious, and replied in the negative. Then followed the "garden party" speech, in which Mr. Chamberlain accused President Kruger of procrastinating in his replies, and adopting "a dribbling policy." The next and last step was the reply, published in our last issue, finally rejecting the counter proposal.

Enclosure 12 in No. 16.

From HER MAJESTY'S AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

DRAFT TELEGRAM.

(Telegram. High Commissioner.)

(No. 248A.)

Pretoria, August 14, 1899.

THE Government of the South African Republic will write me a Note to the effect that, provided Her Majesty's Government are willing not to press the demand for the proposed joint inquiry into the political representation of the Uitlanders, they are willing to make the following proposals to Her Majesty's Government.

1. Five years retrospective franchise. The scheme to be referred to the people immediately, and the Government pledging itself to support it and get the people to adopt it. The Raad would adjourn at once for above purpose, and scheme might become law within, say, a fortnight.

2. Eight new seats to be given to the Witwatersrand, in the First Volksraad, making, with the existing members for Johannesburg, and Barberton, a representation of the Mining Industry of ten seats in a Raad of 36. The representation of the Gold Fields in future to be ~~1 of the Volksraad~~ not to fall below this proposition.* The same number of seats to be given in the Second Raad if desired.

In this way future extension of franchise to new population will not be restricted to Witwatersrand, but will be extended to such other fields as are fairly entitled thereto.

3. This franchise will entitle both old and new population to equal rights and privileges in regard to the election of President and Commandant-General.

* ? "proportion."

4. The simplification of the details of the franchise law to be discussed with the British Agent who may have his own legal advice ; and any other points which may arise to be discussed in the same way.

In putting forward the above proposals the Government of the South African Republic will assume that Her Majesty's Government will agree that their present intervention shall not form a precedent for future similar action, and that in the future no interference in the internal affairs of the Republic contrary to the Convention will take place. Further, that Her Majesty's Government will not further insist on the assertion of the Suzerainty, the controversy on this subject being allowed tacitly to drop.

Lastly, arbitration, from which foreign element is excluded, to be conceded as soon as the franchise scheme has become law, but in the meantime the form and scope of the proposed tribunal to be discussed and provisionally agreed upon, while the franchise scheme is being referred to the people in order that no time be lost.

The formal note embodying these proposals will be drafted to-day, and submitted for my approval beforehand, as soon as I am informed whether Her Majesty's Government will consent to my opening negotiations on the above lines.

J. C. S.

[NOTE.—The alterations in *italics* and obliterated type are those made by the State Attorney in the original draft, with his initials at the end].

Wet No. , 1899.

Goedgekeurd door den Edel Achtbaren Eersten Volksraad by art.
naturalisatie en vol stemrecht.

betreffende

Nademaal de wenschelykheid gebleken is zekere bepalingen der wetten met betrekking tot naturalisatie en het verkrygen van het volle stemrecht te wyziggen en nader te omschryven, en

Nademaal deze wyzigingen geen uitstel kunnen lyden om in termen van Art. 12 der Grondwet 3 maanden vooraf gepubliceerd te worden en zy reeds in beginsel door het volk zyn goedgekeurd.

Zy het hierby vastgesteld als volgt :—

Art. 1. Dat een ambtenaar aangesteld wordt aan wien alle applicaties voor stemrecht moet gemaakt worden.

Art. II. Ieder blanke mannelyke vreemdeling den ouderdom van 16 jaar bereikt hebbende die zich in de Zuid Afrikaansche Republiek ~~metterwoon~~ vestigt of gevestigd heeft, zal voortaan brieven van naturalisatie *met volle stemrecht* kunnen krygen mits hy bewyzen kan dat hy voldaan heeft aan de volgende bepalingen en voorwaarden :—

(a.) De applicant zal de ambtenaar vermeld in Art. I. moet tevreden stellen dat hy ~~zeven~~ 5 jaren in dit land gevestigd was ; indien de ambtenaar niet tevreden is met ~~het~~ bewys kan de applicant het bewys voor een der Rechters leggen en zyn beslissing zal daaromtrent moet aangenomen worden doch zal zulke rechter het recht hebben om appel aan het voltallig hof toe te staan *of* De registratie in de boeken van den veldcornet of de beeedigde verklaringen van den applicant en twee notabele volstemgerechtigde burgers, zullen *zal* in ~~alle~~ *alle* gevallen afdoende bewys zyn.

(b.) De applicant zal eene beeedigde verklaring van zich zelf overleggen ten effecte dat hy nooit schuldig gevonden werd aan hoogverraad, moord, verkrachting, diefstal, bedrog, meened of vervalsching.

(c.) De applicant zal bewys overleggen dat hy ~~onbelast~~ vast eigendom bezit *onbelast* ter waarde van £150 of huishuur betaalt ten bedrage van £50 per jaar of vast salaris of loon trekt van £100 per jaar of een zelfstandig bestaan vindt door landbouw ~~of~~ *veeteelt of* *ambacht*.*

(d.) De applicant zal voor de officieele uitreiking der brieven van naturalisatie den volgenden eed afleggen, waardoor hy zal beschouwd en genomen worden afstand te doen en af te zien van alle burgerrechten genoten in en burgerplichten en onderdanigheid verschuldigd aan eenigen anderen staat of vorst :—

“ Ik zweer (of Ik verklaar plechtig dat het afleggen van eenen eed naar myne geloofsovertuiging niet geoorloofd is en beloof) plechtig in alle oprechtheid en in termen van wet No, 3/1899, waarmede ik verklaar dat ik bekend ben, dat ik dezen staat getrouw zal zyn, zyne onafkankelykheid zal eerbiedigen en ondersteunen, my aan de Grondwet en andere wetten en de wettige autoriteiten des lands zal onderwerpen en my in alle opzichten zal gedragen zooals het eenen getrouwen burger van dezen Staat betaamt. Zoo waarlyk helpe my God Almachtig (of dat belof ik plechtig).”

* ? ambacht.

Voor en aler een reeds genaturaliseerd persoon toegelaten wordt tot het volle stemrecht zal in elk geval door hem bij zyn aanzoek daartoe, benevens voldoening aan andere door deze wet geeischte verplichtingen, wederom moeten worden overgelegd bewys van nakoming aan de voorwaarden en bepalingen hierboven sub a, b, en c, uiteengezet. Niemand zal gerechtigd zyn of toegelaten worden brieven van naturalisatie of vol stemrecht te verkrygen tenzy vooraf aan gemelde bepalingen voldaan te hebben, uitgenomen in gevallen waar deze of eenige andere wet uitdrukkelijk andere voorziening maakt.

Art. III. De applicant zal tenminste zes 2 maanden vooruit kennis geven aan den ambtenaar vermeld in Art. 1 van zyn intentie om applicatie voor brieven van naturalisatie te maken en dat hy by de applicatie bewys van voldoening aan Art. 2 zal leveren.

Art. IV. Ieder persoon die zich binnen de Zuid Afrikaansche Republiek vestigt of gevestigd heeft, zal na verloop van minstens twee jaren, by voldoening aan de voorwaarden in Art. 2 secties b, en c, brieven van naturalisatie *Zonder vol stemrecht* kunnen verkrygen en zal minstens ~~van 3 jaren na naturalisatie~~ het volle stemrecht kunnen verkrygen, ~~mits in beide gevallen minstens zes maanden door hem schriftelyk kennis wordt gegeven aan den Staatssecretaris door den ambtenaar in Art. 1 vermeld van zyn voornemen om zulke aanvraag te doen.~~

dd to rt. 3. De ambtenaar zal verplicht zyn op straffe eener boete van hoogstens £10 in elk geval van verzuim, om deze kennisgeving ~~zoodra mogelyk, doch uiterst 14 dagen na indiening ervan, naar den Staatssecretaris te zenden, ter publicatie in de Staatscourant voor algemeene informatie, en de Staatssecretaris zal zoodanige kennisgeving Zonder verzuim een maal in de Staatscourant te publiceeren~~ zonder verzuim 3 achtereenvolgende malen in de Staatscourant doen publiceeren.

Art. V. Niets in deze wet bepaald zal de ~~Uitvoerende Raad Regeering~~ beletten brieven van naturalisatie met of zonder het volle stemrecht uit te reiken aan personen die eene betrekking in's lands dienst aanvaarden ~~of diensten aan het land bewezen hebben of zich in eenig ander opzicht voor het land hebben verdienstelyk gemaakt, hoewel ten hunne opzichte niet aan de vereischten van deze wet is voldaan, mits zy den eed volgens Art. 2 afleggen.~~

Art. VI. Jongelingen niet in dezen Staat geboren en wier vaders brieven van naturalisatie of vol stemrecht alhier hebben verkregen voor zy hun 16de jaar bereikt hebben, hebben hetzelfde stemrecht als hun vader.

Jongelingen in dezen Staat geboren wier vaders noch genaturaliseerd waren noch het volle stemrecht hadden, zullen zich met hunne 16de jaar kunnen laten naturaliseeren *met volle stemrecht* door den eed afteleggen vermeld in Art 2.

Art. VII. ~~Het verzoek om~~ *De toekening van* naturalisatie en van het volle stemrecht wordt door den ambtenaar vermeld in Art. I. aan den Staatssecretaris toegezonden en brieven van naturalisatie moet door hem geteekend worden.

Eenig bezwaar tegen het bewys van applicant moet wegens de Regeering by den ambtenaar vermeld in Art. I. gemaakt worden by het verhoor der applicatie.

~~De brieven van naturalisatie en vol stemrecht zullen geteekend worden door den Staatssecretaris. De Staatssecretaris laat de brieven van naturalisatie en vol stemrecht door den daartoe aangewezen ambtenaar een Landdrost of veldcornet of persoon bevoegd een eed afnemen uitreiken en door dezen den vereischten eed van naturalisatie afnemen.~~

De brieven van naturalisatie zullen een zegel van twee pond sterling dragen; de toekenning van het volle stemrecht aan personen die vooraf genaturaliseerd zyn, geschiedt kosteloos.

Art. VIII. Iemand die niet tot de blanke bevolking van de Zuid-Afrikaansche Republiek behoort zal het stemrecht niet kunnen verkrygen ~~volgens Art. 9 der Grondwet.~~

Art. IX. Alle wetten and bepalingen voor zoover in stryd met deze wet worden hiermede herroepen.

Art. X. Deze wet treedt in werking dadelyk na publicatie in de Staatscourant.

No. 17.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 6.55 a.m., September 28, 1899.)

TELEGRAM.

[Answered by No. 24.]

27th September. No. 4. In continuation of my telegram of to-day, No. 3.* Orange Free State President has telegraphed to me at enormous length. After recapitulating history of negotiations from their point of view he continues:—

* No. 18.

Begins : This Government are still prepared and tender their services to further the interests of peace and to continue in their endeavours to procure a satisfactory solution of existing difficulties on fair and reasonable lines. They feel themselves however hampered now as in the past (a) by a want of knowledge as to the definite object and extent of the desires or demands of the British Government compliance with which that Government consider themselves entitled to insist on and as to the grounds on which such insistence is based. (b) By the fact, notwithstanding the repeated assurances of the British Government that it does not wish to interfere in the internal affairs of the government of the South African Republic nor to disturb its independence, it has pursued a policy which seems to justify a contrary conclusion; to give but one instance I may mention the enormous and ever-increasing military preparations on the part of the British Government indicating a policy of force and coercion.

This Government cannot conceive it possible that the points of difference that may exist on this subject justify those extensive and ever-increasing military preparations being carried out on this border, not only of the South African Republic but also of the Orange Free State, and they are therefore reluctantly compelled to conclude that they must be intended to secure other objects at present unknown to the Government of this State and the knowledge whereof if they prove to be fair and reasonable might induce this Government to make necessary representations to secure their attainment and enable them to continue their efforts to secure a speedy, peaceful and satisfactory settlement of the difficulties and differences existing between Her Majesty's Government and the Government of the South African Republic.

We are firmly convinced that the Government of South African Republic have been sincerely desirous to maintain in its integrity the Convention of London 1884 both as regards its letter and its spirit, and that they do not contemplate or assert a claim to any absolute political status without the qualification arising out of Article IV. of that Convention. I feel assured that there is no difference between their contention on that point and the communication made on behalf of Her Majesty's Government by Her Majesty's High Commissioner to the Governments both of the South African Republic and of this State on the 27th February, 1884,* as to the import of that Convention: that communication was as follows, "Same complete internal independence in Transvaal as in Orange Free State; conduct and control intercourse with foreign Governments conceded; Queen's final approval treaties reserved."

In the expectation that Her Majesty's Government will share my views that no effort should be spared to effect a peaceable settlement, I trust that Her Majesty's Government may see their way clear, pending arrival of the further despatch intimated as about to be sent to Government of South African Republic and pending further negotiations, to stop any further movements or increase of troops on or near the borders of the South African Republic and of this State, and further to give an assurance to that effect to allay the great excitement and irritation naturally aroused and increased thereby, and if Her Majesty's Government should be pleased to accede to this request this Government would be glad to be favoured with the views of Her Majesty's Government on the points raised herein and more particularly as to the precise nature and scope of the concessions or measures the adoption whereof Her Majesty's Government consider themselves entitled to claim, or which they suggest as being necessary or sufficient to insure a satisfactory and permanent solution of existing differences between them and the South African Republic whilst at the same time providing a means for settlement [of] any other that may arise in the future.—
M. T. STEYN, State President. *Ends.*

* No. 20 in [C. 4036].

No. 18.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 7.10 a.m., September 28, 1899.)

TELEGRAM.

27th September. No. 3. Following resolution unanimously adopted to-day by Orange Free State Volksraad and forwarded to me by President Orange Free State in translation:—

Begins: The Volksraad, having heard the second paragraph of His Honour's opening speech and the official documents and correspondence relating thereto which have been handed in, having regard to the strained state of affairs in South Africa which have arisen in consequence of the differences between the Governments of South African Republic and Her Britannic Majesty, which constitute a threatening danger for bringing about hostilities the calamitous effect of which would be incalculable for all white inhabitants of South Africa, being bound to the South African Republic by the closest bonds of blood and alliance and standing in most friendly relations towards Her Majesty's Government fearing that should a war break out a hatred would be generated between the European races in South Africa which still in the far future will impede and restrain the peaceful development of all States and Colonies of South Africa, being sensible that serious obligations rest on the Volksraad to do all that is possible to prevent the shedding of blood, considering that in the course of negotiations with the British Government which have extended over several months every endeavour has been made by the Government of the South African Republic at a peaceful settlement of the differences which have been brought forward by Uitlanders in the South African Republic and which have been adopted as its own cause by the Government of Her Majesty which endeavours, unfortunately, have only had the result that British troops have been concentrated on the border of the South African Republic and are still continually being reinforced.

"Resolves to instruct the Government still further to do everything in its power to preserve and establish peace and to contribute by peaceful methods towards the solution of the existing differences, always provided that [it] can be brought about without injury to the honour and independence of this State or of the South African Republic, and wishes unmistakably to declare its opinion that there exists no cause for war and that if a war is now begun or occasioned by Her Majesty's Government against South African Republic, this would morally be a war against the whole of white population of South Africa and would in its results be calamitous and criminal and further, that Orange Free State will honestly and faithfully observe its obligations towards South African Republic arising out of the political alliance between the two Republics whatever may happen."

No. 19.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 1 p.m., September 28, 1899.)

TELEGRAM.

28th September. No. 2. My telegrams No. 3 and No. 4.* I have telegraphed to President Orange Free State simply acknowledging his telegrams and saying that I have communicated them to you.

* Nos. 17 and 18.

No. 20.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 5.20 p.m. September 28, 1899.)

TELEGRAM.

[Answered by No. 30.]

28th September. No. 3. I have this morning received a letter from President Steyn in answer to my letter conveying the message contained in your telegram of the 22nd September, No. 2.* Letter is in Dutch. Translation is as follows:—

Begins: I have the honour to acknowledge the receipt of Your Excellency's letter of the 23rd September informing me that Your Excellency was instructed by Her Majesty's Government to acquaint me that in the report of my speech at the opening of the Volksraad, which had been sent to England, it was stated that I had said that the Government of the South African Republic was "verlokt" (decoyed) by Mr. Greene, British Agent at Pretoria, and had virtually accused Her Majesty's Government of bad faith.

In reply, I have to say that I am not acquainted with the contents of any report of my speech sent to England, and, further, that although I do not feel myself called upon publicly to contradict any such incorrect report, I wish to give Your Excellency the assurance that the report repeated to me by Your Excellency is devoid of all truth, as Your Excellency will best see by a reference to my speech itself, of which I have the honour to inclose herewith a copy for Your Excellency. It is possible that the report owes its origin to an erroneous translation of the word "uitgelokt" (elicited) which is contained therein, and which was a quotation from the despatch referred to by me (despatch of 15th September to British Agent). This expression is something totally different from the word attributed to me, namely, "verlokt" (decoyed). *Ends*.

No. 21.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 11 p.m., September 28, 1899.)

TELEGRAM.

[See also No. 26. Answered by No. 36.]

28th September. No. 5. Following petition to Her Majesty the Queen has been handed to me to-day, signed by fifty-seven members of both Houses of Cape Parliament, including five Ministers:—

Begins: Your Majesty's humble petitioners are British subjects residing in the Colony of the Cape of Good Hope.

2. They are aware that your Majesty some time ago was graciously pleased to receive and consider a petition signed, amongst others, by many of your Majesty's subjects residing in the South African Republic, and setting forth certain grievances of disabilities under which those petitioners deemed themselves to labour in the said Republic.

3. Your petitioners humbly refrain from herein raising any discussions or controversy on the several matters dealt with in the said Petition, but they beg to submit, as subjects of your Majesty in this Colony, and speaking on behalf of many thousands of their fellow-subjects here, this their Petition to be likewise received and considered by your Majesty.

4. Your petitioners are closely connected by ties of blood relationship, inter-marriage, and friendship, with residents in the South African Republic, and materially and deeply interested in the maintenance of peace in South Africa and the avoidance of the horrors of war, and they are firmly convinced that recourse to measures of active interference by force or compulsion against the said Republic for the removal of the grievances or dis-

abilities set forth in the aforesaid Petition is not necessary, and would be most disastrous to the true welfare and the best interests of your Majesty's South African dominions, of which this Colony forms no inconsiderable part.

5. Should such measures be in contemplation your petitioners beg most humbly and earnestly that your Majesty may be pleased in the exercise of a spirit of magnanimity for peoples and States which are weak, and of consideration for the true welfare and best interests of your subjects in South Africa, to abandon the further contemplation of such measures.

6. Your petitioners are emboldened in preferring this humble request by the earnest belief that the Government and people of the South African Republic are fully awakened to the wisdom and discretion of making liberal provision for the representation in the Legislature of the Republic of the population of the Gold Fields, from a part of which the Petition emanated which has been received and considered by your Majesty.

7. Your petitioners, having observed that the Legislature of the South African Republic have recently passed a new franchise Act making more liberal provision for the representation of the Gold Fields in the Volksraads of the Republic, and for the naturalization with full burgher rights of British subjects, in common with other Uitlanders permanently settling in the Republic; that your Majesty's Government have been pleased to propose the appointment of a Joint Commission to inquire into the full effect of the said Act; and that the Government of the South African Republic have accepted this proposal, beg to humbly express their hope that such a Joint Commission will be speedily appointed.

8. Your petitioners feel fully convinced that if an inquiry instituted by such a Commission should lead to the conclusion that the Act in question does not make sufficient or satisfactory provision for the enfranchisement and representation of your Majesty's subjects settling permanently in the Republic, the Republic Legislature would be found prepared to make other and further provisions in that behalf, and that a recommendation by your Majesty's Government to your subjects in the South African Republic to accept such provisions would produce great results in influencing the various sections of the population towards mutual conciliation and goodwill, and at the same time tend to the true advancement of your Majesty's South African dominions.

9. Your humble petitioners would finally beg your Majesty graciously to accept and consider this Petition, and to believe that in presenting it they are actuated not only by feelings of attachment to the country of their birth or adoption but also of loyal devotion to your Majesty's throne and person.

And your petitioners, as in duty bound, will ever pray.

No. 22.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 12.35 a.m., September 29, 1899.)

TELEGRAM.

[*Answered by No. 35.*]

28th September. No. 6. I have received to-day through Sir Gordon Sprigg following resolution signed by 53 Members of both Houses.

Begins: This meeting of Members of Parliament of the Cape Colony desires strongly to deprecate the attempts which have been made to encourage the Government of South African Republic to continue their resistance to the just demands of Her Majesty's Government, and further desires to give Her Majesty's Government an assurance of the strongest support of the policy pursued by them through the High Commissioner, which it regards as calculated to promote permanently the best interests not only of the Cape Colony but of the whole of South Africa. *Ends.*

No. 23.

Mr. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 6.35 p.m., September 29, 1899.)

TELEGRAM.

29th September. No. 1. I think that if Government of South African Republic commence hostilities it would be well for you in that case, but not otherwise, to give warning to President Krüger at once, that, in view of the persistent rumours which have reached Her Majesty's Government as to threats to murder British subjects, he and his Government are expected to protect the lives and property of all peaceable persons, British subjects and others; and will be held responsible by Her Majesty's Government for any acts committed contrary to the usages of civilized people.

No. 24.

Mr. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 10.30 p.m., September 29, 1899.)

TELEGRAM.

[Answered by No. 27.]

29th September. No. 2. Referring to your telegram of 27th September, No. 4,* Her Majesty's Government request that you will inform President of Orange Free State in reply to his message that their views have been definitely made known to the Government of the South African Republic from time to time and especially in my telegram of 8th September, No. 5.† Unfortunately the Government of the South African Republic has finally declined to entertain the suggestions contained in that telegram, and accordingly Her Majesty's Government, in accordance with the announcement made in the last paragraph, have been compelled to formulate their own proposals for a final settlement, which will shortly be communicated to the Government of the South African Republic.

You will at the same time inform President of Orange Free State that what he describes as the enormous and ever-increasing military preparations of Great Britain have been forced upon Her Majesty's Government by the policy of the South African Republic, which has transformed the Transvaal into a permanent armed camp, threatening the peace of the whole of South Africa and the position of Great Britain as the Paramount State.

No. 25.

GOVERNOR SIR W. F. HELY-HUTCHINSON (NATAL) to Mr. CHAMBERLAIN.

(Received 11 p.m., September 29, 1899.)

TELEGRAM.

29th September. No. 4. Station-master, Charlestown, has been officially informed by Netherlands Railway Company that no more traffic will be received from Natal, as railway has been taken over by Government of South African Republic. Railway telegraph wire has been cut. Telegraphic communication between Maritzburg and Johannesburg still maintained by Post Office wires.

No. 26.

HIGH COMMISSIONER SIR ALFRED MILNER to Mr. CHAMBERLAIN.

(Received 1.55 p.m., September 30, 1899.)

TELEGRAM.

30th September. No. 1. Referring to my telegram of 28th September, No. 5,‡ Theron, Member of Legislative Assembly, wishes me to acquaint you his name was omitted from signatures, which are therefore 58.

* No. 17.

† No. 52 in [C. 9521].

‡ No. 21.

No. 27.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 12 midnight, September 30, 1899.)

TELEGRAM.

(Extract.)

30th September. No. 5. I propose to hold over message in your telegram of 29th September No. 2.* My reason for doing so is that there is still some hesitation on the part of the Government of the Orange Free State who seem not to have abandoned hope of compromise.

No. 28.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 12.25 a.m., October 1, 1899.)

TELEGRAM.

[Answered by No. 29.]

(Extract.)

30th September. No. 8. Urgent. Just received following from British Agent :—
Begins : State Secretary who has just been here has asked me to send you the following message : "State Secretary would be much obliged if he might be informed by Monday what decision if any the British Cabinet have taken."

No. 29.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 11 p.m., October 1, 1899.)

TELEGRAM.

(Extract.)

1st October.—No. 1. Urgent. Your telegram No. 8 of 30th September.† The answer to State Secretary should be as follows :—
 The despatch of Her Majesty's Government is being prepared ; it will be some days before it is ready.

No. 30.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 5.10 p.m., October 2, 1899.)

TELEGRAM.

2nd October. No. 4. Referring to your telegram of 28th September, No. 3.‡ You should inform President Steyn in reply to his letter that Her Majesty's Government are glad to learn that the report of his speech was inaccurate.

No. 31.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 8.5 p.m., October 2, 1899.)

TELEGRAM.

2nd October. No. 2. Following telegram received from President Orange Free State :—

Begins : 2nd October. I have the honour to inform Your Excellency that I have deemed it advisable, in order to allay the intense excitement and unrest amongst our burghers arising from the totally undefended state of

* No. 24.

† No. 28.

‡ No. 20.

our border in the presence of a continued increase and movement of troops on two sides of this State, to call up our burghers to satisfy them that due precaution has been taken in regard to guarding our borders, and to insure their not acting independently of proper control. I am still strongly and sincerely desirous of seeing, and, if possible, aiding in a friendly settlement of the differences between Her Majesty's Government and South African Republic being arrived at. I am still looking forward soon to be favoured with the views of Her Majesty's Government on the points touched upon in my telegraphic despatch to Your Excellency of the 27th instant* [? Sept.], receipt thereof was acknowledged by Your Excellency on the following day.

Ends.

I have replied:—

Begins: I have the honour to acknowledge Your Honour's telegram of to-day, the terms of which I am communicating to Her Majesty's Government. With regard to the movements of troops to which you refer, I can only repeat the assurances given in my telegrams of the 19th and 25th September. I regret that Your Honour should have felt obliged to call up a large body of burghers and to place them immediately on our borders, whereas no Imperial troops have been so placed on the borders of the Orange Free State, except the small detachment in the defence of Kimberley, but as Your Honour has seen fit to take this course I am glad to have Your Honour's assurance that your forces will be held in proper control. As Your Honour is aware, the Government of the South African Republic has mobilized and placed on the borders of Natal a very considerable army, and made dispositions which, unwilling as I am to believe such action possible, seems to indicate an invasion of the Queen's dominions. In view of the repeated declarations of Your Honour, I feel confident that an invasion of Her Majesty's territories by South African Republic would not have countenance and support of Your Honour's Government, all the more so as Your Honour continues to express the hope of a peaceful settlement, of which I likewise do not despair.

I hope to be able very shortly to communicate to you the reply of Her Majesty's Government to your telegram of 27th September.* *Ends.*

No. 32.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 9.30 p.m., October 2, 1899.)

TELEGRAM.

2nd October. No. 3. Following telegram received from British Agent:—

"Volksraad of South African Republic adjourned this morning, *sine die*. President, in an excited speech, declared that war was inevitable. England had shown that she wished to fight, and his people would now show that they would fight under the eyes of the Lord. Burger and Wolmarans spoke similar strain."

No. 33.

GOVERNOR SIR W. F. HELY-HUTCHINSON (NATAL) to MR. CHAMBERLAIN.

(Received 2.55 a.m., October 3, 1899.)

TELEGRAM.

[Answered by No. 56.]

2nd October. No. 1. Following telegram received from Civil Commissioner, Zululand:—

Begins: Dinuzulu reports that the natives of Vryheid district are (?) becoming desperate, and it is to be feared they will not remain quiet much longer.

* See No. 17.

Several children taken from their parents have deserted, and Boers are now seizing cattle from kraals they belong to. Dinuzulu says these people, who are all connected by relationship or family ties with himself and his people, appeal to him to represent on their behalf to Her Majesty's Government terrible hardship they are subjected to, and to urge that although country was given to Boers, they consider themselves as much subjects of Her Majesty the Queen as any Englishman resident in Transvaal Republic, and therefore implore Her Majesty's Government to intervene on their behalf in same manner they understand that Her Majesty's Government is intervening on behalf of white British subjects in Transvaal Republic.

This report was conveyed to Gibson by Dinuzulu's chief induna, Man-kuluma, with whom I had long conversation through telephone. I told him it would be communicated to you at once by telegraph, and that Dinuzulu would be informed of your reply, and that meanwhile best thing people could do was to remain quiet.

In my opinion it is very probable that natives of Vryheid district will rise against Boers if there is war. Message delivered to Chiefs in this province short time ago has had effect of keeping those across border quiet up to present, but they will not much longer submit to treatment of Boers. Otherwise everything quiet. *Ends.*

No. 34.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 7.10 a.m., October 3, 1899.)

TELEGRAM.

3rd October. No. 2. Referring to my telegram of 2nd October, No. 2,* following telegram received from President Orange Free State:—

Begins: 3rd October. I have the honour to acknowledge Your Excellency's telegram of this afternoon. I cannot help regretfully expressing my conviction that the action of the Transvaal in putting burghers on their borders is only the natural result, all along feared by me, of the constant increase of British troops and their movement in the direction of Transvaal border. At the same time I have no reason to anticipate any immediate aggressive action on the part of Transvaal, unless further forward movements of British troops should indicate intention of attack upon Transvaal. I beg to urge upon Your Excellency the necessity of trying both to explain the reply to my telegraphic despatch and to prevent further movements of troops. *Ends.*

I have replied as follows:—

I have the honour to acknowledge Your Honour's telegram of yesterday evening. Your Honour must be perfectly well aware that all the movements of British troops which have taken place in this country since the beginning of present troubles, which have been necessitated by the natural alarm of the inhabitants in exposed districts, are not comparable in magnitude with the massing of armed forces by Government of South African Republic on the borders of Natal. I do not suggest that Your Honour is in any way responsible for that action, which appears to me inconsistent with tone of Your Honour's telegrams of 22nd September, in which you expressed your conviction that a peaceful settlement of difficulties was still possible and ought to be arrived at. *Ends.*

* No. 31.

No. 35.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 5.45 p.m., October 3, 1899.)

TELEGRAM.

3rd October. No. 4. Referring to your telegram of 28th September, No. 6,* inform Sir Gordon Sprigg, in reply to resolution signed by fifty-three members of Cape Parliament, that Her Majesty's Government have received with much satisfaction the assurance of their support contained in that resolution.

No. 36.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 10.5 p.m., October 3, 1899.)

TELEGRAM.

3rd October. No. 6. The Petition contained in your telegram of 28th September No. 5 † has been laid before the Queen who was pleased to receive it graciously. In so informing the petitioners you will state that Her Majesty's Government, in their policy towards the South African Republic, have not been unmindful of the sympathies and interests of Her Majesty's subjects of Dutch descent in South Africa. One of the main objects of that policy has been to secure for the non-Dutch inhabitants of the Transvaal similar rights and privileges to those enjoyed by the Dutch in Cape Colony, and to maintain that equality between the two white races which prevail everywhere else in South Africa.

Her Majesty's Government have shown to the Government of the South African Republic every consideration consistent with the realization of this object and the maintenance of British interests. They deeply regret that their efforts to secure a peaceful and satisfactory settlement have hitherto been unsuccessful.

They are unable to adopt the course suggested in the latter part of the Petition for the reasons stated in the note to the Government of the South African Republic of 12th September, ‡ which was delivered in pursuance of telegraphic instructions from Her Majesty's Government. In view of the refusal of the Government of the South African Republic to entertain the moderate and conciliatory offer contained in that note Her Majesty's Government feel compelled to formulate their own proposals for a final settlement, which will shortly be communicated to the Government of the South African Republic.

No. 37.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 4 a.m., October 4, 1899.)

TELEGRAM.

[Answered by No. 42.]

October 3rd.—No. 5. The situation is growing steadily worse. The Orange Free State is expelling British subjects and has closed its borders ; practically the whole body of Burghers is being commandeered. There is now a very large number of refugees in the Colony.

Bar gold estimated at over half-a-million, which was about to be exported in the usual course, has been seized by the South African Republic at its frontier.

* No. 22.

† No. 21.

‡ See No. 52 in C. 9521 and page 61 of this book.

No. 38.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 7.5 a.m., October 4, 1899.)

TELEGRAM.

[Answered by No. 39.]

(Extract.)

4th October. No. 1. President Orange Free State has sent me another long telegram, which is mostly an attack upon us for pursuing what he regards as a policy of menace towards South African Republic, and seems to indicate an intention of picking a quarrel with us. His answer concludes as follows :—" I feel deeply impressed with the danger of delay and with the urgent need of immediate action being taken, if any further attempts are to be made to secure a peaceful solution. I tender once again my best services towards the attainment of that object, but they will, I fear, be useless and unavailing if not preceded or accompanied by the assurances for which I asked on the 27th ultimo."

He also makes a grievance of not having received an answer to his telegram of the 27th September.* I kept back, as you are aware, your telegram of the 29th September No. 2† We ought, however, in my opinion, to answer him now, and I suggest the following :—

Begins.—Her Majesty's Government have repeatedly stated their views on the questions at issue between them and the Government of the South African Republic, and especially in the telegram of 8th September, No. 5.‡ They did not think their position open to misunderstanding but if President of Orange Free State desires elucidation of any special point they are prepared to give it. As regards their military preparations they have been necessitated by policy of Government of South African Republic converting that country into a permanent armed camp. In view of rejection of their last proposals by Government of South African Republic Her Majesty's Government are reconsidering the situation having regard to the grave (? fact) that both Republics have now placed themselves on a war footing.

While intending shortly to put forward new proposals of their own Her Majesty's Government is prepared to listen even at the eleventh hour to definite suggestions from President of Orange Free State for the termination of crisis which are not inconsistent with attainment of objects steadily avowed and pursued by them. *Ends.*

I do not think there is much chance of a compromise although there is apparently still some hope of it in Afrikaner circles here.

No. 39.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 8.5 p.m., October 4, 1899.)

TELEGRAM.

[Answered by No. 40.]

(Extract.)

4th October. No. 3. Your telegram of 4th October No. 1.§ You may give President Steyn the answer you propose.

* See No. 17.

† No. 24.

No. 52 in [C. 9521].

§ No. 38.

No. 40.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 7.30 p.m., 5th October, 1899.)

TELEGRAM.

[Answered by No. 41.]

5th October. No. 1. Urgent. Referring to your telegram of 4th October, No. 3,* I telegraphed Orange Free State President yesterday as follows:—

Begins: I have the honour to acknowledge Your Honour's long telegram of yesterday afternoon,† the substance of which I have communicated by telegraph to Her Majesty's Government. There is, I think, a conclusive reply to your Honour's accusation against the policy of Her Majesty's Government, but no good purpose would be served by recrimination. The present position is that Burgher forces are assembled in very large numbers in immediate proximity to the frontiers of Natal, while the British troops occupy certain defensive positions well within those borders. The question is whether the Burgher forces will invade British territory, thus closing the door to any possibility of a pacific solution. I cannot believe that the South African Republic will make such aggressive action, or that Your Honour would countenance such course, which there is nothing to justify. Prolonged negotiations have hitherto failed to bring about a satisfactory understanding, and no doubt such understanding is more difficult than ever to-day, after expulsion of British subjects with great loss and suffering, but till the threatened act of aggression is committed I shall not despair of peace, and I feel sure that any reasonable proposal, from whatever quarter proceeding, would be favourably considered by Her Majesty's Government, if it offered an immediate termination of present tension and a prospect of permanent tranquillity. *Ends.*

Simultaneously with the receipt of your telegram of 4th October, No. 3,* I received the following from Orange Free State President:—

Begins: I have the honour to acknowledge receipt of Your Excellency's telegram of yesterday evening. I note with pleasure that Your Excellency does not despair of peace, and that you feel sure that any reasonable proposal, from whatever quarter proceeding, would be favourably considered by Her Majesty's Government, if it offered immediate termination of the present tension and a prospect of permanent tranquillity. I see no reason why such proposals should not be forthcoming, and I myself am prepared actively to assist in bringing about the indicated and desirable results. I must, however, point out that it seems to me that it would be most difficult to attempt to make friendly proposals, or continue to negotiate whilst the armed forces on both sides remain in menacing positions now occupied by them. But above all do I consider it would not be practicable to induce Government of South African Republic to make or entertain proposals or suggestions, unless not only the troops menacing their State are withdrawn farther from their borders, but an assurance be given by Her Majesty's Government that all further despatch and increase of troops will at once and during negotiations be stopped, and that those now on the water should either not be landed or at least should remain as far removed as can be from the scene of possible hostilities. I trust Your Excellency will agree with me that these suggestions are only reasonable, as it would be manifestly unfair, should further negotiations prove abortive, a result which I would earnestly endeavour to prevent and which, I trust, need not be anticipated, that the forces of South African Republic [? should be] in a worse position or at a greater disadvantage than they are at present.

I must urge upon Your Excellency the urgent necessity of intimating to me without delay, whether Your Excellency sees your way clear to give effect to these my views and wishes, and, if so, I would be prepared to take steps to at once try and obtain any needful assurance to safeguard against any act of invasion or hostility against any portion of Her Majesty's Colonies or territories pending negotiations, if this preliminary but absolutely essential matter can be regulated between this and to-morrow. I will be further prepared to aid if possible in formulating and heartily to assist in dealing with and supporting all reasonable proposals which shall possess the element of finality and give the assurance of immediate and lasting peace. A reply to

* No. 39.

† See No. 38.

the request made in the very last part of my telegraphic despatch to Your Excellency of the 27th ultimo would enable me to judge in how far it would be possible for me to support the requests or requirements of Her Majesty's Government in re-opening negotiations with the Transvaal.

In regard to another point touched upon by Your Excellency in your telegram under reply I have no information before me from which I can infer that Her Majesty's subjects have been expelled with great loss and suffering from the South African Republic. The report no doubt has its origin like many others in exaggerated statements of persons leaving that country in a panic. *Ends.*

It seems to me that the only possible answer is that whatever may be the case with regard to the forces of South African Republic I demur to His Honour's statement that British troops are in a menacing position, and I regret that His Honour should suggest as a condition precedent to further negotiations an assurance from Her Majesty's Government hampering their freedom of action with regard to the disposition of British troops for defensive purposes in British territory. Such an assurance it is impossible for me to suggest Her Majesty's Government to give. I think this answer should be sent with the greatest possible promptitude.

No. 41.

Mr. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 4.45 a.m., October 6, 1899.)

TELEGRAM.

6th October. No. 1. Your telegram of 5th October, No. 1.* You may give the answer you propose to President, Orange Free State, but add that if the latter can obtain the needful assurance to safeguard against any act of invasion or hostility against any portion of Her Majesty's Colonies or territories pending negotiations of which he speaks, you will advise Her Majesty's Government to give an assurance in the same terms, *mutatis mutandis*. This will place both parties in exactly the same position. Each will be free to do what they like in their own territories, but neither will be able to trespass on the territories of the other.

No. 42.

Mr. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 1.30 p.m., October 7, 1899.)

TELEGRAM.

[*Answered by No. 46.*]

(Extract.)

7th October. No. 1. Your telegram of the 3rd October No. 5†. Under what legal authority, if any, have South African Republic Government seized gold and Orange Free State Government expelled British subjects? Can you say?

No. 43.

HIGH COMMISSIONER SIR ALFRED MILNER to Mr. CHAMBERLAIN.

(Received 9.20 p.m., October 7, 1899.)

TELEGRAM.

7th October. No. 3. Following telegram received from Her Majesty's Agent, Pretoria :—

Begins.—Having received complaints from British subjects that their property had been commandeered, and it having been announced by the newspapers that the

* No. 40.

† No. 37.

State lawyers had advised Government that they were perfectly competent to commandeer any and every sort of property in possession of British subjects, I to-day enquired of State Secretary whether the above announcement represented the views of Government. Reitz, after consultation with State Attorney, replied that the property of private individuals, of whatever nationality, could be and was being commandeered to the value of 15*l.* a head. *Ends.*

No. 44.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 2.40 a.m., October 8, 1899.)

TELEGRAM.

[*Answered by No. 48.*]

7th October. No. 4. I sent a telegram *en clair* to President Orange Free State this morning in accordance with terms of my suggestion in my telegram of 4th October, No. 1,* approved by you in your telegram of 4th October, No. 3.†

Following telegrams have also been exchanged between us in continuation of my telegram of 5th October, No. 1.‡:—

Begins.—6th October. With reference to your Honour's telegram of yesterday I must demur to your Honour's statement that British troops are in menacing positions. I regret that your Honour should suggest as a condition precedent to further negotiations an assurance from Her Majesty's Government hampering their freedom of action with regard to the disposition of British troops necessary for defensive purposes in British territory. Such an assurance it is impossible for me to ask Her Majesty's Government to give. If, on the other hand, your Honour can obtain an assurance that, pending negotiations, no act of hostility will be committed against any of Her Majesty's possessions, I am prepared to advise Her Majesty's Government to give an assurance to the like effect. *Ends.*

Begins.—6th October. I have the honour to acknowledge receipt of your Excellency's telegram of to-day. I am earnestly desirous of meeting any reasonable suggestions that may tend to a continuance of friendly negotiations, and to avert an issue for which as I have frequently stated I see no justification whatever. I trust that your Excellency will on reconsideration see that Government of South African Republic in only taking proper precautions for the future might fairly decline, and I do not feel I could be expected to ask them to continue negotiations in the face of the fact that from all sides of Her Majesty's dominions troops are being poured into South Africa with the avowed object of coercing South African Republic into accepting whatever terms Her Majesty's Government might decide to impose. I have no doubt in so far as Her Majesty's troops are intended for defence of Her Majesty's possessions, the same purpose, viz., fully safeguarding those possessions from invasion and subjects from molestation, could be effected. I would be willing to assist in its being effected without [?] one side finding itself put at any great disadvantage during and because of further negotiations. The assurance asked for by your Excellency could, I have no doubt, be obtained and satisfactorily arranged, but the point that I think it fair to urge is that they would be taken by South African Republic as virtually amounting to an act of hostility on the part of Her Majesty's Government to be continuously and extensively increasing its forces [?] during negotiations, when all need for defensive measures can, as I firmly believe, be fully obviated without such increase. *Ends.*

Begins.—7th October. I have the honour to acknowledge the receipt of your Honour's telegram of yesterday afternoon. With every desire to relieve the strain of present situation I cannot go beyond the suggestions made by me in my telegram of yesterday morning. I have no right to attempt to influence your Honour as to what advice it would be reasonable for you to give to Government of South African Republic having regard to the impending increase in Her

* No. 38.

† No. 39.

‡ No. 40.

Majesty's forces in South Africa. My object in all the communications which have [? passed] between us since your Honour's telegram of 2nd October has been to leave nothing undone which could prevent action on the part of South African Republic calculated to make a pacific solution finally impossible. But I cannot, even with that object, ask Her Majesty's Government to pledge themselves either with regard to the disposition of troops within British territories in South Africa, or to their dispatch thither from other parts of the Empire.

No. 45.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 1.15 p.m., October 8, 1899.)

TELEGRAM.

8th October. No. 1. Following telegram received from British Agent :—

Begins.—7th October. Following notice appears in this evening's newspapers :

Begins.—Notice is hereby given to all British subjects who wish to remain in this country during these times of unrest that they must send in applications to Landdrost of Pretoria on or before Monday next 4 p.m., stating business premises, occupation, and how long applicant has been in this country. By order of C. E. Schutte. *Ends.*

Following notice also appears in Johannesburg papers :

Begins.—Notice is hereby given to interested persons that all applications from British subjects to remain in the State in the event of a declaration of war must be addressed to the Mining Commissioners of their districts. Non-British subjects must apply to their respective Consuls and obtain certificates denoting their nationality. By order. *Ends.*

Telegram ends.

No. 46.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 7 p.m., October 8, 1899.)

TELEGRAM.

8th October. No. 2. Your telegram No. 1 of 7th October.* Greene telegraphs as follows :—

Begins.—No special Resolution of Volksraad was taken as far as I can learn, but it is supposed that gold was stopped by simple order of Government in virtue of Executive Resolution of 27th September, section 5, sent to your Excellency in my despatch No. 341.

This morning I asked State Secretary to inform me in terms of what enactment gold was stopped. He declined to do so offhand without a written inquiry from me. At present moment the whole country is practically though not avowedly under martial law, although it has not been proclaimed—*e.g.*, commandeering is going on ; Kaffirs have to be indoors by six o'clock ; white men by nine ; all drinking bars are closed, &c. ; and the Government are acting absolutely as if a state of war already existed.—*Ends.*

The Resolution referred to was enclosed in my despatch of 4th October.† It only professes to apply to a state of war.

As regards Orange Free State many British subjects have fled in alarm ; but there does not seem to have been any order of expulsion. On the contrary complaints are pouring in that British subjects are being commandeered by the Free State, even for personal service, under heavy penalties. A gentleman of position has informed me that Mr. Fischer stated to him personally that the State does not recognize international law. The President also said to him that power to commandeer all persons whatsoever was

* No. 42.

† Not yet received in Colonial Office.

given by their Commando Law ; and refused to give any assurance as regards Englishmen. This is in accordance with their Military Service Law No. 6 of 1890, section 28, which applies to all inhabitants.

I think that we ought to address a strong protest to the President of the Orange Free State, reserving the rights of Her Majesty's Government to demand compensation. Do you agree to this ?

No. 47.

HIGH COMMISSIONER SIR ALFRED MILNER to Mr. CHAMBERLAIN.

(Received 11.45 p.m., October 8, 1899.)

TELEGRAM.

8th October. No. 3. Following telegram received from British Agent :—

Begins.—Jacobus Christian Carelese, a British subject, born in Cape Town, and who has resided off and on in the Transvaal for twenty-three years, a journeyman tailor by trade, has made an affidavit before me to-day that last evening when going home between 6 and 7 he was challenged by Lieutenant Schutte in command of a party of mounted police and asked (if) he was a Burgher. Carelese replied that he was a British subject. Dutoit then flogged Carelese with a long horse whip and drove him before his horse, notwithstanding that he was practically a cripple and unable to get out of the way. Schutte continued to flog Carelese calling out "hardloop" and "huis toe" regardless of appeals for mercy for nearly 100 yards. I have represented this complaint to State Secretary and asked punishment of Schutte, which Mr. Reitz has promised.
Ends.

No. 48.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent, 4.30 p.m., October 9, 1899.)

TELEGRAM.

9th October. No. 4. Referring to your telegram of 7th October, No. 4,* your communication to President Orange Free State approved.

No. 49.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received October 9, 1899.)

SIR, Government House, Cape Town,
September 18, 1899.

I have the honour to enclose for your information a copy of correspondence on the subject of the position of aliens in the Orange Free State in the event of hostilities between Great Britain and the South African Republic.

I have, &c.,
A. MILNER,
Governor and High Commissioner.

* No. 44.

Enclosure 1 in No. 49.

From J. W. DALGLIESH, Esq., M.D., Bloemfontein, to The HIGH COMMISSIONER, Cape Town.

Northumberland Lodge, Bloemfontein,
Orange Free State, August 14, 1899.

To His Excellency,
Sir Alfred Milner, G.C.M.G., K.C.B.,
H.B.M. High Commissioner for South Africa,
and Governor of Cape of Good Hope.

HIS EXCELLENCY,

I APOLOGIZE for troubling you. I beg to be allowed to point out to you the very awkward position in which we British residents in this State will be placed in the event of hostilities breaking out between Great Britain and the Transvaal plus this State.

Mr. Fischer has informed me that we Britons will be ordered to fight against our country.

That in the event of our refusing to do so we will be fined £37 10s. or one month's imprisonment.

That the punishment will be repeated at the end of each month until we change our minds. Mr. Fischer has also informed me that this State does not recognise International Law.

Mr. Fraser has informed me that all nations that have commercial treaties with this State have stipulated therein that their subjects shall be exempted from military service, with the single *exception* of Great Britain, who has never stipulated such in any of her treaties with this State.

I beg to draw Your Excellency's attention to the fact that though the British and the English Afrikanders are so numerous in this State there is no British Consul.

The Bishop of Bloemfontein has asked President Steyn if British subjects would be allowed to remain in this State in case of war simply to look after their possessions if they swore to remain neutral.

The reply he received was "Read the Commando Law."

To go on Commando and fight against our own dear country of course we refuse to do. To leave the country at a moment's notice means ruin.

There is already considerable hostility shown towards us, and the lives of Englishmen living in isolated places have been threatened by some of the more ignorant Boers.

I fully understand that the present is not a suitable time to approach the Government of this State on these points, but I would beg of you, Sir, to do what you can for us if you think it wise to do so, and if not, can you advise us as to what would be the best course for us to adopt?

This will carry my renewed apologies for the trouble I have given Your Excellency.

Yours respectfully,
J. W. DALGLIESH, M.D.

Enclosure 2 in No. 49.

From the IMPERIAL SECRETARY, Cape Town, to J. W. DALGLIESH, Esq., M.D.

SIR, Government House, Cape Town, August 26, 1899.

I AM directed by the High Commissioner to acknowledge the receipt of your letter of the 14th instant, respecting the position of British subjects in the Orange Free State in the event of war with Great Britain.

I am to inform you in reply that while His Excellency is not aware of anything in the relations between Her Majesty's Government and the Free State which could justify a resort to arms on the part of the latter, the question raised by you will not be lost sight of.

I have, &c.,
G. V. FIDDES,
Imperial Secretary.

J. W. Dalgliesh, Esq., M.D.

Enclosure 3 in No. 49.

From R. W. HICKS, Esq., Bloemfontein, to the HIGH COMMISSIONER, Cape Town.

Devonshire House, Bloemfontein, Orange Free State,

YOUR EXCELLENCY,

September 8, 1899.

WILL you kindly inform me for the benefit of the Uitlanders in this town, what provision will be made for them in the event of hostilities between England and the Transvaal. Should this State join the Transvaal and the Britishers be commandeered to protect the Basutoland border, should we be regarded as enemies of the Queen in going so to do, or should we be serving our country?

I have, &c.,

RD. WENTWORTH HICKS.

To His Excellency

Sir Alfred Milner,

Governor of the Cape Colony.

Enclosure 4 in No. 49.

SIR,

Government House, Capetown, September 15, 1899.

I AM directed by the High Commissioner to acknowledge the receipt of your letter of the 8th instant, in which you enquire what would be the position of aliens in the Orange Free State in the event of hostilities between Great Britain and the South African Republic.

I am to state that His Excellency is unaware of anything in the relations between Her Majesty's Government and that of the Orange Free State which could justify any hostile action on the part of the latter. But, in any case, there can be no doubt that it would not be in accordance with International Law to compel aliens to take up arms in a war against the Sovereign to whom they owe allegiance. In His Excellency's opinion it would make no difference whether British subjects were actually ordered out against the Queen's soldiers or were utilised in such a manner as to set free a corresponding number of burghers for service against Her troops.

I have, &c.,

G. V. FIDDES,

Imperial Secretary.

R. W. Hicks, Esq.

No. 50.

HIGH COMMISSIONER SIR ALFRED MILNER to Mr. CHAMBERLAIN.

(Received October 9, 1899.)

SIR,

Government House, Cape Town,
September 19, 1899.

I HAVE the honour to enclose for your information with reference to my telegram No. 3 of the 18th instant,* a copy of a despatch from Her Majesty's Agent, Pretoria, on the subject of proposed laws dealing with possible confiscation of mines and property in the South African Republic.

I have, &c.,

A. MILNER,

Governor and High Commissioner.

Enclosure in No. 50.

BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

Her Majesty's Agency, Pretoria,

September 15, 1899

SIR,

IN connection with the crisis I have the honour to transmit to Your Excellency herewith translations of two measures which it is proposed to bring before the Volksraad

immediately, and which, if passed, are likely to gravely affect the Mining Companies and property holders in the Republic.

These measures are—

(1.) Article 140 of Law 15 of 1898 (Gold Law), as proposed by the Raad Commission, dealing with possible confiscation of mines on which work has been stopped, and the appropriation of the gold output by the State.

(2.) Amendment to the Law of High Treason, providing for the confiscation of the property of persons convicted under the law.

In conclusion, I would draw Your Excellency's attention to the list of instructions and interrogatories addressed to the various mine managers on the Rand by the State mining engineer, on Saturday last, as described in the accompanying extract from the "Star" of yesterday.

I have, &c.,
CONYNGHAM GREENE.

His Excellency
The High Commissioner,
Cape Town.

"STAR."—September 14th.

THE TREASON LAW.

Pretoria, Wednesday (Special).—The following draft law, prepared by the Government, will be laid before the First Raad very shortly :—

1. Every person within this Republic who makes himself guilty of the crime of public violence, high treason, or "lese majeste," or of incitement to commit any of those crimes, shall be subject to the punishments provided for the said crimes according to the general law. All properties, movable or fixed, belonging to such person, or to which he may or can lay claim, directly or indirectly within this State at the time of committing said crimes, or at any time thereafter, shall be confiscated in favour of the State, saving, however, the rights of mortgagees.

2. When it should be proved to the satisfaction of a competent court that any person or persons staying outside the Republic incited or instigated any inhabitant of this State to commit high treason, public violence, or "lese majeste," all properties, movable or fixed, belonging to such person or persons, or to which he may or can lay claim within this State, directly or indirectly, at the time of committing such crimes or any time thereafter, shall be confiscated in favour of the State, saving the rights of mortgagees, and saving the punishments which are fixed for such crime by the laws of this Republic.

3. When it should be proved to the satisfaction of any competent court that any person or persons outside this Republic planned attacks or formed relations with foreign powers or their representatives, in order to persuade them to act inimically or undertake a war against this Republic, or to supply them with the means therefor, or endeavour to commit treason, all their property, movable or fixed, or any claim which such persons may or can lay to such property directly or indirectly at the time of committing said crimes, or at any time thereafter, shall be confiscated in favour of the State, saving the rights of mortgagees, and saving the punishments which are fixed for the crimes of public violence, high treason or "lese majeste," according to the laws of this Republic.

"STAR."—September 14th.

GOVERNMENT AND THE MINES.

Pretoria, Wednesday (Special).—The following is a translation of Article 140 of Law 15 of 1898 (Gold Law), as proposed by the Raad Commission. The operation of the Article, as proposed by the Gold Law Commission last year, was postponed until the Government could make certain proposals with reference to it. The Article in the form below will come before the Second Raad for consideration to-morrow or soon after :—

"When the suspension of operations on a mining property, wholly or partially, may, according to the judgment of the Government, for reasons of general interest, no longer continue, the owner or worker of the mynpacht, claim or concession concerned shall be bound, on receiving instructions, personally or by two notices in the 'Staatscourant,' to resume operations within a fixed time.

"On refusing or not complying, the Government can withdraw the rights granted under this law, saving the rights of mortgagees, and those rights can either be granted to others, or the Government can develop the mine concerned or cause it to be developed under its own control. After the withdrawal of rights as described above, the Government shall give the previous owner proper time, according to the judgment of the State Mining Engineer, to remove the establishments and plants from the mine, in default of which, these shall be taxed by the State Mining Engineer, and expropriated by the Government, if it desires, against the taxed price.

"Apart from what is stipulated above, the Government shall be qualified, after the proclamation of, and during the time that martial law is in force, to take under its own control and develop any mine as described in Chapter 2, Section A, Law 12, 1898, within this State, and to use the production of such development to its own benefit; but the Government shall be obliged, in such case, to make a proper inventory, on taking it over, of all establishments, plants, machinery, and objects attached to and on such mine, and shall, moreover, keep an accurate account of all the mineral or metal production thus developed by it, as also of the expense of development, and for the purpose

the Government shall take care that the mine plans of such mines on the day of taking over the same are marked properly, and are daily thereafter worked up.

"After the repeal of martial law, the Government shall be bound, within reasonable time, to restore the parties interested in such mine in their undisturbed possession thereof, if their rights are protected under International Law, and the Government shall, moreover, be obliged to compensate the parties thus interested properly for the production realised in the development after deducting all taxes, claims, licence fees, and other taxes imposed by law on said mining property, mynpacht or concession, and all working costs during the period it had said mine in its possession, and for all damage which might be caused by Government's fault to the establishments, plant or machinery of such mine, but Government shall not be responsible for reasonable wear and tear or any further damages whatever."

"STAR."—September 14th, 1899.

THE NEW INQUISITION.

Whatever be the intention of the Transvaal Government, whether to surrender to the British demands or to keep a stiff back and give nothing, the Government will do itself and its cause no good by the inquisitorial order which has just been issued regarding the mines. The Government is seriously prejudicing its cause not only in this country, but in Europe. The storm of indignation which is now gathering in England against this so-called Republic will receive added force from the side-winds of deeply-interested public opinion in France and Germany, Italy and Austria, and last, but by no means least, in Russia. If the Republic desires to keep the peace, then its latest promulgations against the mines and the mining companies are insensate. If the Republic is determined on facing fearful odds, by accepting the arbitrament of war, it will not help its cause by inflicting financial loss on the citizens of the great Powers in Europe and of the United States. The rulers at Pretoria are making a "dead set" at the mines, and their object seems to be to lay their hands on the gold output, under a declaration of Martial Law, at any moment when such confiscation may be required. That this is not putting the case too strongly against the Government there is great reason to believe from the information in our possession. We are informed that on Saturday last the State Mining Engineer called all the mining inspectors on the Rand together, and gave them instructions, which were to the following effect:—

They were to get from each mine manager a statement showing the quantities in stock of dynamite, coal and provisions, with a full indication of the exact place in the mine where these goods are stored.

Each mine manager was to be asked whether anything had been hidden down the mine, and if so, what it was and where hidden.

Each mine manager was to be asked to furnish a complete list of white employees.

The attention of mine managers was to be directed to a rumour to the effect that, in the event of hostilities, the gold recovered would be hidden if there was no means of getting it out of the country, and they were to be told that this would be illegal.

Mine managers were to be cautioned against making a false or incomplete statement, as this would render the claims of the company liable to confiscation.

The inspectors were to effect a careful inspection of each mine, with the object of making sure that the reports of the managers were correct, and the inspectors were also requested, if they considered this step to be necessary, to examine the books and vouchers.

Finally the inspectors were asked *to attend to this business, and nothing else for the present.*

This is inquisition with a vengeance. It might be supposed that the companies would meet the situation by getting as much gold out of the country as possible before the new legislation is passed, or before the proclamation of Martial Law, and then close down the mines, but they are forestalled. It will be remembered what a sensation was caused last year, when it was proposed to introduce into the new Gold Law an article containing clauses empowering the Government to confiscate the mines. That article is again brought forward, and the Government now desires to put into operation the powers that would be obtained under it. The article will be found translated in another column. It provides that when operations on a mine, claim, or concession are suspended, either wholly, *or partially*, the Government, at its own discretion, can compel operations to be resumed within a fixed time; that if this be not done by the owner or owners, the Government can develop the mine concerned or cause it to be developed under Government control, and that the plant may be expropriated by the Government, if not removed in a certain time (this is practically equivalent to confiscation). Then comes a most important clause in the article, having regard to present circumstances, namely, that while Martial Law is in force, the Government can take under its own control and develop, any mine, and use the production of such development for its own benefit. Refund of production, it is provided, shall be made when Martial Law ceases to operate, but it is hardly necessary to point out that this generosity might, in certain circumstances, be worthless. The chief fact to be remembered is that the Government has the intention of confiscating mining property, and not under Martial Law, in the most arbitrary manner, and that if such powers were passed by the Volksraad there would be no appeal and no reparation possible. Naturally, there is alarm among the mining companies, and the alarm will speedily spread to the immense body of shareholders in Europe. Not merely the interests of British citizens, but of shareholders of all nationalities under the sun, are concerned. We shall be surprised if this proposed action of the Transvaal Government does not draw forth an emphatic protest from the Consuls of the United States, Germany, France, and the other Powers interested. The confiscation of mining property now contemplated by the Transvaal Government would be a gross violation of trading rights and the rights in property of all uitlanders. It would, therefore, be a breach of the Convention. We are not sure that the irritating interference now being practised, to the exclusion of all their other duties, by the mining inspectors, acting under the direct orders of the State Mining Engineer, is not also a breach of Convention obligations calling for immediate and urgent protest in the proper quarter by the British Agent. The country is in a parlous state, it is true, but there is no reason why law-abiding uitlanders should submit to the terrors of this New Inquisition.

No. 51.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received October 9, 1899.)

(EXTRACT.)

Government House, Cape Town, September 20, 1899.

I HAVE the honour to transmit, for your information, copies of further communications from Her Majesty's Agent at Pretoria on the subject of the position in the South African Republic.

From H.M.'s Agt.,	Tel. No. 315,	15.9.99.
From do.	do. 316,	16.9.99.
From do.	Desp.	14.9.99.
From do.	do.	14.9.99.
From do.	do.	16.9.99.

I think no good purpose would be served by my going at length into the arguments contained in the reply of the Government of the South African Republic dated 15th September. But there is one statement in it, to which I must particularly

refer, in connection with the charges of something like a breach of faith, which are freely made against the British Agent and Her Majesty's Government in connection with the latest phase of the negotiations.

As an instance of these, I would refer to the enclosed articles from the "South African News."

The answer of the South African Republic Government does not, of course, go the length of these articles, but it does suggest that the Government of the South African Republic were misled in the matter. "The proposal," says the State Secretary, "which has now lapsed, contained in the letters of 19th and 21st August, was induced by suggestions given by the British Agent to the State Attorney, and these were accepted by the Government in good faith, and on express request, as an assurance that the proposal would be acceptable to Her Majesty's Government."

This statement is not in accordance with the facts as known to me. As you are aware, the British Agent, on the 2nd August, laid before the Government of the South African Republic the proposal of Her Majesty's Government for a joint enquiry. For ten days there was no sign of a reply on the part of the Government of the South African Republic, but on the 12th August the State Attorney approached the British Agent with the view of finding out, whether Her Majesty's Government would be willing to waive the proposal of a joint enquiry, to which at that time the Government of the South African Republic appear to have entertained the strongest objections, in consideration of the Government of the South African Republic putting forward a more liberal scheme of Uitlander representation. After discussion between them Mr. Greene drew a telegram to me, which Mr. Smuts saw in draft, and the proposals of which, as far as the question of representation was concerned, Mr. Greene was prepared to recommend. I may observe that it was part of these proposals that "the details of the (new) franchise law" which was to be much simpler in form than the existing one "were to be discussed with the British Agent, who may have his legal adviser, and any other points which may arise were to be discussed in the same way." Her Majesty's Government would thus, as I understand the case, have had that opportunity of satisfying themselves of the effectiveness of the new franchise law, and the measures connected with it, to fulfil their avowed purpose, which they have always maintained to be essential.

The draft telegram containing this amended representation scheme concluded with the following paragraph:—"In putting forward above proposals the Government of the South African Republic will assume that Her Majesty's Government will agree that their present intervention shall not form a precedent for future similar action, and that in future no interference in the internal affairs of the Republic contrary to the Convention will take place. Further, that Her Majesty's Government will not further insist on assertion of suzerainty, the controversy on this subject being allowed tacitly to drop. Lastly, arbitration, from which foreign element is excluded, to be conceded as soon as franchise scheme has become law; but in the meantime the form and scope of proposed tribunal to be discussed and provisions agreed upon while franchise scheme is being referred to people, in order that no time may be lost."

With regard to these matters, Mr. Greene does not appear to have committed himself in any way, and did not, as indeed he could not, pledge Her Majesty's Government. The telegram from which I have quoted was then sent to me, together with another containing a report of the conversations which had passed between Mr. Greene and the State

Attorney. I was quite unaware of these pour-parlers until I received the telegrams referred to, which I forwarded to you at length in my telegram of August 15th, No. 1.*

After communication with you, I instructed Mr. Greene, on August 17th, to inform the Government of the South African Republic as follows :—

“If the Government of the South African Republic were to reply to the invitation of Her Majesty’s Government to a Joint Enquiry by formally putting forward proposals described in your telegram, Her Majesty’s Government would not regard such a course as a refusal of their offer, but would be prepared to consider the reply of the Government of the South African Republic on its merits.”

I cannot understand how this reply could be regarded by the Government of the South African Republic as implying that the proposals in the draft telegram would be accepted by Her Majesty’s Government without reservation. The meaning of the reply seems to me perfectly plain, viz., that Her Majesty’s Government, who had been waiting a fortnight for an answer to their invitation to a Joint Enquiry, were willing to let this new proposal take the place of a direct answer, and to consider it with a view to finding in it the basis of an understanding. If Her Majesty’s Government had taken any other course they would certainly have been violently attacked. It would have been said that the Government of the South African Republic had gone a long way to meet Her Majesty’s Government and that the latter had shown their irreconcilable spirit by refusing even to consider a proposal containing new and more liberal arrangements as to representation. Her Majesty’s Government did, in fact, make a concession to the Government of the South African Republic when they consented to negotiate on a new basis, viz., dropping the Joint Enquiry—but, when, in doing so, they promised to consider the new proposal on its merits, they could not possibly be held to pledge themselves in advance to its acceptance in its entirety.

And the answer which they ultimately gave, when the proposal was formally submitted, was in accordance with this promise. I refer to your telegram of 28th August, No. 1,† the contents of which were communicated by Mr. Greene to the Government of the South African Republic on 30th August. That telegram was a qualified acceptance of the offer of the South African Republic Government. If that proposal, as made by the Government of the South African Republic, had been identical with the forecast of it given by the State Attorney to Mr. Greene, the Government of the South African Republic would still have had no reason to complain of the answer of Her Majesty’s Government as disappointing any expectations they could legitimately base upon the communication made to them on August 17th.

But, as a matter of fact, the proposal, when formally made, differed materially from the sketch of it contained in Mr. Greene’s telegram, on which the message of August 17th to the South African Republic Government was based. The accuracy of Mr. Greene’s telegram it is not competent for the Government of the South African Republic to question, inasmuch as it was initialled by the State Attorney himself. To show the differences between the outline of the contemplated proposal given in that telegram and the proposal itself, it is only necessary to compare the following passages dealing with the vital point of the submission to Her Majesty’s Agent of the contemplated new proposals :—

Proposal as communicated to Mr. Greene :—

“The simple details of franchise law to be discussed with British Agent. He may have his legal adviser. Any other points which may arise to be discussed in the same way.”

Proposal as formally submitted :—

“Government of the South African Republic will be ready to consider such friendly suggestions regarding details of franchise law as Her Majesty’s Government, through British Agent, may wish to convey to them.”

A further, and very serious, difference was imported by the note of the South African Republic Government of August 21st, which must be read together with that of August 19th. In the Note of August 19th, the statement of the position of the Government of the South African Republic with reference to future interference, suzerainty, and arbitration, coincided with the terms of Mr. Greene’s telegram, as quoted above. In the Note of August 21st, however, the State Secretary put this matter in a very different way, and one much more difficult for Her Majesty’s Government to accept or to pass by without the most express reservations.

The Note of August 21st stated the position as follows :—“The proposals of this Government regarding question of franchise and representation contained in that despatch must

* No. 34 in [C. 9521].

† No. 43 in [C. 9521].

be regarded as expressly conditional on Her Majesty's Government consenting to the points set forth in paragraph 5 of the despatch, viz. :—

- “(a) in future not to interfere in internal affairs of the South African Republic.
- “(b) not to insist further on its assertion of existence of suzerainty.
- “(c) to agree to arbitration.”

It would thus appear that, if anybody was misled in the matter, it was not the Government of the South African Republic.

Nor is this the end of the story. According to Mr. Greene, the State Attorney, when discussing the above matters with him, made certain explanatory statements as to the intentions of the South African Republic, which being reported by Mr. Greene through me to Her Majesty's Government did, I have no doubt, influence them in expressing a willingness to consider the contemplated counter-proposal of the Government of the South African Republic.

One of these was that in the case of any change in the method of election of the President or Commandant-General, the matter will be discussed between Her Majesty's Government and the Government of the South African Republic ; the other was that the new members of the Raad would be allowed to use their own language.

Undoubtedly these statements of Mr. Smut's, if correctly reported, though not absolutely binding the Government of the South African Republic, were of the greatest importance and must, I believe, have greatly influenced your mind, as they certainly did mine, in considering the advisability of entertaining the new proposals.

A conflict of evidence appears to exist between Mr. Greene and Mr. Smuts on these points, and I can only assume that there was some misunderstanding. This, however, does not affect the position of Her Majesty's Government, who, at the time when they consented to continue the negotiations on the new basis proposed by the South African Republic, had reason to believe that the important concessions above-mentioned were contemplated by the South African Republic, and would form part of any system of Uitlander representation.

I am not now arguing that the Government of the South African Republic were not entitled, if they chose, to withdraw the offer contained in their notes of August 19th and 21st if they were not satisfied with a qualified acceptance of it. I only wish to point out that the contention that they were induced to make that offer by Her Majesty's Agent, and that they were led to expect that it would be acceptable to Her Majesty's Government as it stood, is untenable. It would have been untenable even if the offer made had been quite identical with what Her Majesty's Government had reason to anticipate that it would be. It is, of course, still more so in view of the positive divergencies on certain points of the offer as made from the offer forecasted, and of the misunderstandings which arose in the semi-official conversations with regard to it.

I will only say, in conclusion, that the final proposal of Her Majesty's Government conveyed to the Government of the South African Republic on September 12th, which seems to have been regarded in England as, after all that has passed, a moderate and temperate final offer, was, when first made known here, received with general satisfaction. I hope the above recapitulations of the leading facts, however tedious, may help to show the groundlessness of the charges made against Her Majesty's Government in the matter.

Enclosure 1 in No. 51.

HER MAJESTY'S AGENT, Pretoria, to The HIGH COMMISSIONER, Cape Town.

TELEGRAM.

September 15th. No. 315. I have just been informed by State Secretary that reply of South African Republic Government is ready and is now being copied, but that he would defer handing it to me until to-morrow morning unless I was anxious to have it to-night. I said that I should prefer his acting as he proposed and sending it to me to-morrow.

Enclosure 2 in No. 51.

HER MAJESTY'S AGENT to HIGH COMMISSIONER.

TELEGRAM.

No. 316. September 16th. I have just received reply of Government of South African Republic. Its substance is as follows :—*

* See Enclosure 5, page 63.

Enclosure 3 in No. 51.

BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

Her Majesty's Agency, Pretoria,

September 14, 1899.

SIR,

I HAD the honour to acquaint your Excellency by my telegram No. 281 of the 29th of August with the terms of a resolution passed at a meeting of the Uitlander Council held on the 26th of that month, and which was handed to me by a deputation of eight members of the Council on the 29th, representing the professional, artisan, and working classes of Johannesburg.

This resolution, as Your Excellency will recollect, drew the attention of Her Majesty's Government to the great distress that was being caused to the community of the Rand by the delay in coming to a settlement, and urged the extreme necessity of speedy relief being afforded to the Uitlander population.

I have now the honour to transmit to Your Excellency herewith a copy of a further resolution which was passed at a meeting of the Council held this morning, and which has been handed to me this afternoon by the acting chairman of that body.

I feel that it is unnecessary for me to add anything to the vivid terms in which the present deplorable condition of Johannesburg is described in the resolution, and I would therefore merely draw Your Excellency's attention to the concluding paragraph, in which the Council "earnestly appeals to Her Majesty's Government to use every effort to counteract the policy now being pursued by the Pretoria Government, and to effectually put a stop to any further attempts to delay or postpone a final and effectual settlement of the matters in dispute between the two Governments."

Copies of the previous resolution, handed to me on the 29th ultimo, together with a list of the names of the members of the deputation who waited upon me on that date, are annexed.

I have also the honour to enclose a leading article* from the "Star" of last night dealing with the situation.

I have, &c.,

CONYNGHAM GREENE.

His Excellency
The High Commissioner,
Cape Town.

RESOLUTION PASSED AT A MEETING OF THE UITLANDER COUNCIL HELD ON
SATURDAY, THE 26TH AUGUST, 1899.

Resolved :—The delay is causing great distress to the community, and this distress is constantly increasing and being accentuated.

The Uitlander Council again respectfully urge the extreme necessity of speedy relief being afforded.

A true copy.

W. ST. JOHN CARR,
Hon. Secretary Uitlander Council.

MEMBERS OF THE DEPUTATION FROM THE UITLANDER COUNCIL.

Mr. William Hosken,
Mr. H. Bottomley,
Mr. W. Macdonald,
Mr. J. B. Nicholson,
Mr. E. H. Parry,
Mr. J. W. Quinn,
Mr. A. Raitt,
Mr. R. Shanks.

* Not reprinted.

RESOLUTION PASSED BY THE UITLANDER COUNCIL ON SEPTEMBER 14TH, 1899.

The Uitlander Council, in view of the daily increasing distress in Johannesburg and the district, resulting from the delay which has occurred in arriving at a settlement between the Imperial Government and the South African Republic, desire respectfully to bring to the notice of Her Majesty's Government the danger that would be incurred by further postponing negotiations with the Government at Pretoria.

1. The Uitlander population, in answer to their petition to Her Majesty, were assured by the British Government that a speedy and satisfactory settlement of their grievances would be arrived at, and at a later date, after two months had elapsed, were again guaranteed that no further delay would take place. Nevertheless, at the present time, no settlement has been arrived at, and the policy at Pretoria points to further procrastination. During the whole of this time the inhabitants of Johannesburg have borne with unexampled patience the suffering which has been entailed by the practical cessation of all business and the various industries of the town. The result of the prolongation of the period of tension is that large numbers of persons are already ruined, whilst thousands of others are reduced to the verge of destitution.

2. In support of this representation of general distress, we beg to bring to your notice that no less than two thousand two hundred persons per week are being supported by the Relief Committee, and this in addition to the number of families which are daily deported by aid of the Relief Committee to the Cape Colony and Natal, whilst a reference to the managers of the various banks and other financial institutions would furnish ample proof of the commercial ruin in which Johannesburg is involved. It may also be pointed out that those of the inhabitants who are in a position to afford it are now, and have been for some time past, leaving the town at the rate of a thousand a day.

3. Apart from the hardships entailed on white residents, the policy of delay is having a very prejudicial effect upon the native population of South Africa. According to the common talk of natives engaged on the mines, in domestic and industrial service in the towns, and of those living at their kraals, the prestige of Great Britain is daily being lowered, and the conviction is becoming rooted in the native mind that the delay in bringing matters to an issue is merely evidence of fear on the part of Great Britain of suffering defeat at the hands of the Boers. The impression in the native mind is daily growing stronger that the Boer is paramount in South Africa.

4. People of Johannesburg have now become weary of waiting, and the present state of feeling is not conducive to the success of the cause which four months ago they espoused with so much zeal and enthusiasm. They are now rapidly approaching that state of mind which is ready to adopt any solution of a difficulty that will most quickly put an end to their sacrifices. This feeling is not induced by disloyalty to the British Government, but is the natural result of a long period of suspense, bringing in its train hardship and distress. On the other hand a continuation of the present situation does not bear harshly on the burgher population, as the latter is not directly concerned in the commercial and industrial activity of the Gold Fields.

5. There can be no doubt that the policy of procrastination is intentionally pursued by the Pretoria Government, knowing, as it well does, the injurious effect it must have on the industrial life of the population of Johannesburg. The object of this policy is clearly to starve the town into such a state of exhaustion that any terms would be welcomed which would bring relief.

6. The Uitlander Council, therefore, having in view the danger of the present situation in Johannesburg, which has been brought about through prolonged delay, earnestly appeals to Her Majesty's Government to use every effort to counteract the policy now being pursued by the Pretoria Government to effectually put a stop to any further attempts to delay or postpone a final and effectual settlement of the matters in dispute between the two Governments.

Enclosure 4 in No. 51.

BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town

Her Majesty's Agency, Pretoria,

September 14, 1899.

SIR,

I HAVE the honour to report that, on receipt of Your Excellency's telegram, No. 53, of the 12th instant, I drew up the Note of which a copy is enclosed to the Govern-

ment of the South African Republic and handed it in person to the State Secretary at midday. I at the same time informed him that, having regard to the fact that Her Majesty's Government earnestly pressed for an immediate and definite reply, I should be glad if he could favour me with an answer by midday on Thursday. I subsequently sent Your Excellency my telegram, No. 309 of the same date, informing you that I had acted as above. On learning, however, in the course of the following day that it was not the intention of the Secretary of State to specify a time limit for the receipt of the reply of the Government of the South African Republic, I wrote a semi-official Note to the State Secretary, of which a copy is enclosed, in the sense of Your Excellency's instructions and received from Mr. Reitz this afternoon the accompanying Note.

I have not as yet received the reply of the Government of the South African Republic to my formal Note of the 12th instant.

I have, &c.,
CONYNGHAM GREENE,

His Excellency
The High Commissioner,
Cape Town.

SIR, Her Majesty's Agency, Pretoria, September 12, 1899.

I HAVE the honour to state to you, in reply to your Note to me of the 2nd instant, that Her Majesty's Government understand that Note to mean that the proposals of the Government of the South African Republic, made in their Note of the 19th of August, are now withdrawn because the reply of Her Majesty's Government, contained in my Note to you of the 30th of August, with regard to future intervention and Suzerainty is not acceptable.

Her Majesty's Government have absolutely repudiated the view of the political status of the South African Republic taken by the Government of the Republic in their Note to me of the 16th of April, 1898, and also in their Note of May 9, 1899, in which they claim the status of a sovereign international State. Her Majesty's Government are therefore unable to consider any proposal which is made conditional on their acceptance of this view. It is on this ground that Her Majesty's Government have been compelled to regard the last proposal of the Government of the South African Republic as unacceptable in the form in which it was presented.

Her Majesty's Government cannot now consent to go back to the proposals for which those in the Note of the Government of the Republic of the 19th of August are intended as a substitute, especially as they are satisfied that Law No. 3, of 1899, in which these proposals were finally embodied, is insufficient to secure the immediate and substantial representation which Her Majesty's Government have always had in view, and which they gather from the reply of the Government of the South African Republic that the latter admit to be reasonable. Moreover, the presentation of the proposals of the Note of the 19th of August indicates that the Government of the South African Republic have themselves recognised that their previous offer might with advantage be enlarged, and that the independence of the South African Republic would be thereby in no way impaired.

Her Majesty's Government are still prepared to accept the offer made in paragraphs 1, 2 and 3 of the Note of the 19th of August taken by themselves, provided that the inquiry which Her Majesty's Government have proposed, whether joint, as Her Majesty's Government originally suggested, or unilateral, shows that the new scheme of representation will not be encumbered by conditions which will nullify the intention to give substantial and immediate representation to the Uitlander. In this connection Her Majesty's Government assume that, as stated to the British Agent, the new members of the Volksraad will be permitted to use their own language.

The acceptance of these terms by the Government of the South African Republic would at once remove the tension between the two Governments, and would in all probability render unnecessary any further intervention on the part of Her Majesty's Government to secure the redress of grievances which the Uitlanders themselves would be able to bring to the notice of the Executive Council and of the Volksraad.

Her Majesty's Government are increasingly impressed with the danger of further delay in relieving the strain which has already caused so much injury to the interests of South Africa, and they earnestly press for an immediate and definite reply to their present proposal.

If it is acceded to, they will be ready to make immediate arrangements for a further Conference between the President of the South African Republic and the High Commissioner, to settle all the details of the proposed Tribunal of Arbitration and the questions referred to in my Note of the 30th of August which are neither Uitlander grievances nor questions of the interpretation of the Convention, but which might be readily settled by friendly communication between the representatives of the two Governments.

If, however, as they most anxiously hope will not be the case, the reply of the Government of the South African Republic is negative or inconclusive, I am to state to you that Her Majesty's Government must reserve to themselves the right to reconsider the situation *de novo* and to formulate their own proposals for a final settlement.

I have, &c.,
CONYNGHAM GREENE.

The Honourable
The State Secretary.

DEAR MR. REITZ, Her Majesty's Agency, Pretoria, September 13, 1899.

WITH reference to our interview of yesterday, I informed the High Commissioner by telegraph that, having regard to the earnest desire expressed by the Secretary of State for an immediate and definite reply to the communication from Her Majesty's Government, I had informed you that I should be glad to be favoured with an answer to my note by midday on Thursday.

I have now received a telegram from His Excellency in which he desires me to explain to you that while, as appears from their communication, Her Majesty's Government are most anxious for an early reply, it was not the intention of the Secretary of State to specify a definite time limit for the receipt of the answer of the Government of the South African Republic.

His Excellency desires me to add that, if you should consider the time suggested by me as insufficient, he would not interpret the request of Her Majesty's Government for an immediate answer as necessitating a reply within the precise limit of time suggested by me to you at our interview yesterday.

I am, &c.,
CONYNGHAM GREENE.

The Honourable F. W. Reitz,
State Secretary.

DEAR MR. GREENE, Pretoria, September 14, 1899.

I BEG to acknowledge the receipt of your letter of yesterday informing me that it was not the intention of the Secretary of State for the Colonies to specify a definite time limit for the receipt of the answer of the Government of the South African Republic to the last despatch.

Yours truly,
F. W. REITZ.

Enclosure 5 in No. 51.

BRITISH AGENT, Pretoria, to the HIGH COMMISSIONER, Cape Town.

SIR, Her Majesty's Agency, Pretoria, September 16, 1899.

WITH reference to my despatch of the 14th instant, I have the honour to transmit to Your Excellency herewith a translation of a Note which I have received from the State Secretary, dated the 15th instant, conveying the reply of the Government of the South African Republic to the latest communication from the Secretary of State on the subject of the political representation of the Uitlanders. I have already communicated this Note to Your Excellency this afternoon by telegraph.

I have, &c.,
CONYNGHAM GREENE.

His Excellency
The High Commissioner,
Cape Town.

(Translation.)

SIR,

Ministry for Foreign Affairs, Pretoria, September 15, 1899.

THE Government of the South African Republic has the honour to acknowledge the receipt of your Note of the 12th instant in answer to their Note of the 2nd instant.

In answer this Government wishes to state that it learns with a feeling of deep regret that it must understand that Her Majesty's Government withdraw from the invitation sent in your Note of the 23rd of August, and accepted by this Government, and substitute in its place an entirely new proposal.

The proposal, which has now lapsed, contained in the Notes of this Government of 19th and 21st August, was induced by suggestions given by the British Agent to the State Attorney, and these were accepted by this Government in good faith, and on express request, as equivalent to an assurance that the proposal would be acceptable to the British Government. It was in no way the object of this Government, either then or now, to make any needless recapitulations of its contention about its political status as an independent state as defined by the Convention of London of 1884, but only to try to put an end to the state of tension by meeting Her Majesty's Government upon a proposal which it supposed to be constituted, both in spirit and in form, in such a way as it was given to understand as to be satisfactory to Her Majesty's Government.

This Government cannot disguise from itself that in making the proposal contained in its Note of the 19th of August, it probably ran the danger not only of its being disclaimed by the Volksraad and the people, but also that its acceptance might affect the independence of the State by, as therein proposed, giving an immediate vote in the Legislature of the State to a large number of inpouring foreigners, but it set against that the continuous threatening and undoubted danger to its highly prized independence arising from the claim of suzerainty made by Her Majesty's Government, from the interference of that Government in the internal affairs of this Republic and from the want of an automatically working manner of regulating differences between Her Majesty's Government and this Government, and was in consequence prepared to recommend to the Volksraad and to the people to run the danger attached to the offer made in order to avoid the certainty of the greater danger; inasmuch, however, as the conditions attached to the proposal, the acceptance of which constituted the only consideration for its offer, have been declared unacceptable, it cannot understand on what grounds of justice it can be expected that it should be bound to grant the rest, and with a view to the assurance given by the Secretary of State for the Colonies that he would not consider the said offer as a refusal in answer to his invitation to a joint inquiry, based upon the existing franchise law and the scheme of representation for the Witwatersrand Gold Fields, it cannot understand why, as soon as that invitation was accepted (as was done by this Government in its Note of the 2nd of September), Her Majesty's Government declare that they cannot any longer agree to the inquiry on the subject, and for the purpose which that Government itself proposed.

It is also not clear to this Government on what grounds Her Majesty's Government, after having recently by means of their invitation intimated that they could not declare without an inquiry whether the franchise law and the resolutions taken about representation would afford immediate and substantial representation to the Uitlanders in the South African Republic, are to-day in a position without having made any inquiry, so far as this Government is aware, before the law can have been tested in its operation to declare that the measure just mentioned is insufficient for the object contemplated.

It trusts that it will clearly appear from the foregoing that Her Majesty's Government are under a misunderstanding if they suppose that this Government has ever recognised that it has considered the lapsed proposal contained in the Note of the 19th of August without the conditions imposed therein and repeated in the Note of the 21st of August, as a reasonable proposal, or made it as a proposal, and still less that this Government was or is of opinion that its earlier proposal could be extended with advantage to the Republic, without observance of those conditions, or that the Republic would not thereby suffer any violation of its independence.

However earnestly this Government also desires to find an immediate and satisfactory course by which the existing tension should be brought to an end, it feels itself quite unable, as desired, to recommend or propose to the Volksraad and the people the part of its proposal contained in paragraphs 1, 2 and 3 of its Note of the 19th of August omitting the conditions on the acceptance of which alone the offer was based, but declares itself always still prepared to abide by its acceptance of the invitation of Her Majesty's Government to get a joint Commission composed as intimated in its Note of the 2nd of September. It considers that if conditions are contained in the existing franchise law

which has been passed, and in the scheme of representation, which might tend to frustrate the object contemplated, they will attract the attention of the Commission and thus be brought to the knowledge of this Government.

This Government has noticed with surprise the assertion that it had intimated to the British Agent that the new members to be chosen for the Volksraad would be allowed to use their own language ; if it is thereby intended that this Government would have agreed that any other than the official language of the country would have been used in the deliberations of the Volksraad, it wishes to deny the same in the strongest manner. Leaving aside the fact that it is not competent to introduce any such radical change, it has up to now not been able to understand the necessity or even advisability of making a recommendation to the Volksraad in the spirit suggested ; hence also the immediate and express denial given to Her Majesty's Agent by the State Attorney to a question on that subject.

Inasmuch as the proposal for a further conference has been made specially dependent upon the acceptance of a proposal which this Government does not feel at liberty to recommend to the Volksraad, it would perhaps be premature to deal with it further at present ; it merely wishes, however, to remark that it has not yet been made clear to it which are definite questions which would be discussed at the proposed conference and which could not be subjected to arbitration, but it is pleased to see that Her Majesty's Government think that they could readily be settled by means of friendly discussions, while it further welcomes with pleasure the prospect disclosed by Her Majesty's Government of the introduction of a court of arbitration for the decision of all points of difference and points to be discussed at that Conference, and is ready and willing to co-operate towards the composition of such a court, and that the more as it is its firm intention to abide entirely by the Convention of London of 1884 as its effort has been continually to do.

Finally, this Government continues to cherish the hope that Her Majesty's Government, on further consideration, will feel themselves free to abandon the idea of making new proposals more difficult for this Government, and imposing new conditions, and will declare themselves satisfied to abide by their own proposal for a Joint Commission as first proposed by the Right Honourable the Secretary of State for the Colonies in the Imperial Parliament, and subsequently proposed to this Government and accepted by it. If Her Majesty's Government are willing, and feel able to make this decision, it would put an end to the present state of tension, race hatred would decrease and die out, the prosperity and welfare of the South African Republic and of the whole of South Africa would be developed and furthered, and fraternisation between the different nationalities would increase.

I have, &c.,
F. W. REITZ,
State Secretary.

Conyngham Greene, Esq., C.B.,
British Agent, Pretoria.

No. 52.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 1 a.m., October 10, 1899.)

TELEGRAM.

9th October. No. 1. I have received another lengthy telegram from President Orange Free State. Substance as follows :—

As regards reply of Her Majesty's Government to telegram of 27th September, he expresses regret that Her Majesty's Government has not given assurance as to cessation of further movement or increase of troops pending negotiations.

He demurs to statement that military preparations of Her Majesty's Government have been necessitated by conversion of South African Republic into an armed camp. Her Majesty's Government must be entirely misinformed and it would be regrettable if, through such misunderstanding, present state of extreme tension were allowed to continue.

Though Her Majesty's Government may regard precautions taken by South African Republic after Jameson Raid as excessive, Government of South African Republic cannot be blamed for adopting them, in view of large Uitlander population constantly being stirred up, through hostile press, to treason and rebellion by persons and organizations financially or politically interested in overthrowing the Government.

Arming of Burghers not intended for any purpose of aggression against Her Majesty's dominions. People of South African Republic have, since shortly after Jameson Raid, been practically as fully armed as now, yet have never committed any act of aggression.

It was not till Her Majesty's Government, with evident intention of enforcing their views on South African Republic in purely internal matters, had greatly augmented their forces and moved them nearer to borders that a single Burgher was called up for the purpose, as he firmly believed, of defending country and independence.

If this natural assumption erroneous, not too late to rectify misunderstanding by mutual agreement to withdraw forces on both sides and undertaking by Her Majesty's Government to stop further increase of troops. Without this futile to attempt to make or obtain suggestion or proposals for solution of differences which are not of a nature to justify employment of force except on assumption of inauguration of a policy on the part of Her Majesty's Government which he would be most reluctant to adopt.

As regards Orange Free State placing itself on war footing that State has everything to lose and nothing to gain by being embroiled and would not have called up its Burghers nor would it have cheerfully and unanimously responded to call but for conviction that presence of British troops on borders of both Republics was menace to both and attack upon independence of South African Republic which Orange Free State was bound to defend, protestations to the contrary appearing inconsistent with action of Her Majesty's Government.

In answer to my telegram of 7th President regrets that I can hold out no hope of his fair and reasonable request being acceded to or of sincere offer to further peaceful solution being accepted.

No. 53.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 6.45 a.m., October 10, 1899.)

TELEGRAM.

[*Answered by No. 57.*]

9th October. No. 3. Following telegram received from British Agent:—

Begins: Following full text of note received from the Government of the South African Republic bearing date to-day:—

Begins:

Sir,

The Government of the South African Republic feels itself compelled to refer the Government of Her Majesty the Queen of Great Britain and Ireland once more to the Convention of London, 1884, concluded between this Republic and the United Kingdom and which [*? in*] its XIVth Article secures certain specified rights to the white population of this Republic namely that "All persons, other than natives, conforming themselves to the laws of the South African Republic (*a*) will have full liberty, with their families, to enter, travel, or reside in any part of the South African Republic; (*b*) they will be entitled to hire or possess houses, manufactories, warehouses, shops, and premises; (*c*) they may carry on their commerce either in person or by any agents whom they may think fit to employ; (*d*) they will not be subject, in respect of their persons or property, or in respect of their commerce or industry, to any taxes, whether general or local, other than those which are or may be imposed

upon citizens of the said Republic." This Government wishes further to observe that the above are only rights which Her Majesty's Government have reserved in the above Convention with regard to the Uitlander population of this Republic and that the violation only of those rights could give that Government a right to diplomatic representations or intervention while, moreover, the regulation of all other questions affecting the position or the rights of the Uitlander population under the above-mentioned Convention is handed over to the Government and the representatives of the people of the South African Republic. Amongst the questions the regulation of which falls exclusively within the competence of the Government and of the Volksraad are included those of the franchise and representation of the people in this Republic, and although thus the exclusive right of this Government and of the Volksraad for the regulation of that franchise and representation is indisputable, yet this Government has found occasion to discuss in a friendly fashion the franchise and the representation of the people with Her Majesty's Government, without, however, recognizing any right thereto on the part of Her Majesty's Government. This Government has also, by the formulation of the now existing Franchise Law and the Resolution with regard to representation, constantly held these friendly discussions before its eyes. On the part of Her Majesty's Government, however, the friendly nature of these discussions has assumed a more and more threatening tone, and the minds of the people in this Republic and in the whole of South Africa have been excited and a condition of extreme tension has been created, while Her Majesty's Government could no longer agree to the legislation respecting franchise and the Resolution respecting representation in this Republic, and finally, by your note of 25th September, 1899, broke off all friendly correspondence on the subject, and intimated that they must now proceed to formulate their own proposals for a final settlement, and this Government can only see in the above intimation from Her Majesty's Government a new violation of the Convention of London, 1884, which does not reserve to Her Majesty's Government the right to a unilateral settlement of a question which is exclusively a domestic one for this Government and has already been regulated by it.

On account of the strained situation and the consequent serious loss in and interruption of trade in general which the correspondence respecting the franchise and representation in this Republic carried in its train, Her Majesty's Government have recently pressed for an early settlement and finally pressed, by your intervention, for an answer within forty-eight hours (subsequently somewhat modified) to your note of the 12th September, replied to by the note of this Government of the 15th September, and your note of the 25th September, 1899, and thereafter further friendly negotiations broke off and this Government received the intimation that the proposal for a final settlement would shortly be made, but although this promise was once more repeated no proposal has up to now reached this Government. Even while friendly correspondence was still going on an increase of troops on a large scale was introduced by Her Majesty's Government and stationed in the neighbourhood of the borders of this Republic. Having regard to occurrences in the history of this Republic which it is unnecessary here to call to mind, this Government felt obliged to regard this military force in the neighbourhood of its borders as a threat against the independence of the South African Republic, since it was aware of no circumstances which could justify the presence of such military force in South Africa and in the neighbourhood of its borders. In answer to an enquiry with respect thereto, addressed to His Excellency the High Commissioner, this Government received, to its great astonishment, in answer, a veiled insinuation that from the side of the Republic (*van Republieksche zyde*) an attack was being made on Her Majesty's Colonies and at the same time a mysterious reference to possibilities whereby it was strengthened in its suspicion that the independence of this Republic was being threatened. As a defensive measure it was therefore obliged to send a portion of the Burghers of this Republic in order to offer the requisite resistance to similar possibilities. Her Majesty's unlawful intervention in the internal affairs of this Republic in conflict with the Convention of London, 1884, caused by the extraordinary strengthening of troops in the neighbourhood of the borders of this Republic, has thus caused an intolerable condition of things to arise

whereto this Government feels itself obliged, in the interest not only of this Republic but also [?] of all South Africa, to make an end as soon as possible, and feels itself called upon and obliged to press earnestly and with emphasis for an immediate termination of this state of things and to request Her Majesty's Government to give it the assurance

- (a) That all points of mutual difference shall be regulated by the friendly course of arbitration or by whatever amicable way may be agreed upon by this Government with Her Majesty's Government.
- (b) That the troops on the borders of this Republic shall be instantly withdrawn.
- (c) That all reinforcements of troops which have arrived in South Africa since the 1st June, 1899, shall be removed from South Africa within a reasonable time, to be agreed upon with this Government, and with a mutual assurance and guarantee on the part of this Government that no attack upon or hostilities against any portion of the possessions of the British Government shall be made by the Republic during further negotiations within a period of time to be subsequently agreed upon between the Governments, and this Government will, on compliance therewith, be prepared to withdraw the armed Burghers of this Republic from the borders.
- (d) That Her Majesty's troops which are now on the high seas shall not be landed in any port of South Africa.

This Government must press for an immediate and affirmative answer to these four questions, and earnestly requests Her Majesty's Government to return such an answer before or upon Wednesday the 11th October, 1899, not later than 5 o'clock p.m., and it desires further to add that in the event of unexpectedly no satisfactory answer being received by it within that interval [it] will with great regret be compelled to regard the action of Her Majesty's Government as a formal declaration of war, and will not hold itself responsible for the consequences thereof, and that in the event of any further movements of troops taking place within the above-mentioned time in the nearer directions of our borders this Government will be compelled to regard that also as a formal declaration of war.

I have, &c.,

F. W. REITZ,
State Secretary.

No. 54.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 3.40 p.m., October 10, 1899.)

TELEGRAM.

10th October. No. 2. Referring to your telegram of 8th October, No. 2.* I agree that you should address a strong protest to the President of the Orange Free State against commandeering of British subjects, reserving the rights of Her Majesty's Government to demand compensation, and pointing out that if these persons should be compelled to bear arms against the forces of the Sovereign to whom they owe allegiance such a proceeding would not be justified according to international law.

* No. 46.

No. 55.

MR. CHAMBERLAIN to GOVERNOR W. F. HELY-HUTCHINSON (NATAL).

(Sent 4 p.m., October 10, 1899.)

TELEGRAM.

(Extract).

10th October. No. 2. Referring to your telegram, 2nd October, No. 1.* You should inform Dinizulu that the words of the Queen's Government are the same as the words of the Governor, namely, that he should keep quiet ; and also that no words can be sent through Dinizulu to natives in the Transvaal, who are not under the Queen's Government.

No. 56.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 7.30 p.m., October 10, 1899.)

TELEGRAM.

[Answered by No. 60.]

10th October. No. 7. British Agent should say, when he presents the reply to the demands of the South African Republic Government, that, as that Government has said in its message that it would regard as a formal declaration of war a refusal to comply with its demands, he is instructed to ask for his passports.

No. 57.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 10.45 p.m., October 10, 1899.)

TELEGRAM.

10th October. No. 8. Her Majesty's Government have received with great regret the peremptory demands of the Government of the South African Republic conveyed in your telegram of 9th October, No. 3.† You will inform the Government of the South African Republic, in reply, that the conditions demanded by the Government of the South African Republic are such as Her Majesty's Government deem it impossible to discuss.

No. 58.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 1.25 p.m., October 11, 1899.)

TELEGRAM.

11th October. No. 4. Most urgent. Inform British Agent in South African Republic that the Government of the United States has been asked to allow their Consul to take charge of Agency. Let British Agent try to arrange accordingly pending reply.

* No. 33.

† No. 53.

No. 59.

MR. CHAMBERLAIN to HIGH COMMISSIONER SIR ALFRED MILNER.

(Sent 2.10 p.m., October 11, 1899.)

TELEGRAM.

11th October. No. 5. Referring to your telegram of 8th October, No. 3,* in view of incident reported and of alleged outrages to which refugees from the Transvaal have already been subjected, as well as in view of the persistent rumours which have reached Her Majesty's Government as to threats to murder British subjects, you should warn President Kruger at once in the terms of my telegram of 29th September, No. 1.†

No. 60.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 2.45 a.m., October 12, 1899.)

TELEGRAM.

11th October. No. 3. Referring to your telegram of 10th October, No. 7.‡ Your note has been delivered by British Agent according to your instructions. Greene will leave Pretoria together with British Vice-Consul at 2 p.m. to-morrow. His journey through both Republics has been suitably arranged for.

Safe conduct has been promised by Government South African Republic to British Consul in Swaziland, if he comes through their territory. I have left it to him to come away or stay, as he thinks best. If he comes out, it will be by Lourenço Marques, I expect.

No. 61.

HIGH COMMISSIONER SIR ALFRED MILNER to MR. CHAMBERLAIN.

(Received 8 a.m., 12th October, 1899.)

TELEGRAM.

[Answered by No. 62.]

11th October. No. 6. I telegraphed to-day to President of Orange Free State reciting latest communications between us and South African Republic and continuing as follows:—

Begins: In view of Resolution of Volksraad of Orange Free State communicated to me in Your Honour's telegram of 27th September I have the honour to request that I may be informed at Your Honour's earliest possible convenience whether this action on the part of the South African Republic has Your Honour's concurrence and support. *Ends.*

President of Orange Free State has just replied as follows:—

Begins: 11th. I have the honour to [?] acknowledge Your Excellency's telegrams of this evening. The high handed and unjustifiable policy and conduct of Her Majesty's Government in interfering in and dictating in the purely internal affairs of South African Republic, constituting a flagrant breach of the Convention of London, 1884, accompanied at first by preparations, and latterly followed by active commencement of hostilities against that Republic, which no friendly and well-intentioned efforts on our part could induce Her Majesty's Government to abandon, constitute such an

* No. 47.

† No. 23.

‡ No. 56.